

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

FORTY-SECOND DAY'S PROCEEDINGS

**Twenty-ninth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Monday, June 16, 2003

The House of Representatives was called to order at 2:00 P.M., by the Honorable Charlie DeWitt, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker

Erdey
Fannin
Farrar
Fauchaux
Flavin
Frith
Total—104

Montgomery
Morrell
Morrish
Murray
Nevers
Odinet

Walsworth
Welch
Winston
Wooton
Wright

ABSENT

Kennard
Total—1

The Speaker announced that there were 104 members present and a quorum.

Prayer

Prayer was offered by Rev. Johnny Green.

Pledge of Allegiance

Rep. Doerge led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Frith, the reading of the Journal was dispensed with.

On motion of Rep. Frith, the Journal of June 12, 2003, was adopted.

Suspension of the Rules

On motion of Rep. Walker, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

**Petitions, Memorials and
Communications**

The following petitions, memorials, and communications were received and read:

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

June 13, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 118 , 134, 137, 138, 139, and 140

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Gallot, the rules were suspended in order to take up and consider Senate Concurrent Resolutions at this time.

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 118—

BY SENATOR B. JONES

A CONCURRENT RESOLUTION

To create and provide for a task force to study the health care information needs of health care purchasers, employers, and consumers and to study the feasibility of creating a Louisiana Health Care Information Council to benefit consumers and employers in both the public and private sectors.

Read by title.

On motion of Rep. Gallot, and under a suspension of the rules, the above resolution was referred to the Committee on House and Governmental Affairs, under the rules.

SENATE CONCURRENT RESOLUTION NO. 134—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request that the Department of Health and Hospitals review potential solutions and, if appropriate, promulgate rules to enhance the efficiency of the Mental Retardation/Developmental Disabilities Home and Community Based Waiver, examining a right of first refusal provision to afford individuals the opportunity to forego their waiver opportunity until a time when they are in need of the services and assessing the issues of access to emergency waiver opportunities to meet the needs of individuals seeking to prevent institutionalization during a crisis situation.

Read by title.

On motion of Rep. Winston, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 137—

BY SENATOR HOYT

A CONCURRENT RESOLUTION

To express the condolences of the Louisiana Legislature upon the death of Camile Adam, longtime friend to the citizens in Senate District 26.

Read by title.

On motion of Rep. Pinac, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 138—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To extend the authority for the Forensic Strategic Task Force until July 1, 2003 and to add four members to the composition of such task force.

Read by title.

On motion of Rep. Winston, and under a suspension of the rules, the above resolution was referred to the Committee on House and Governmental Affairs, under the rules.

SENATE CONCURRENT RESOLUTION NO. 139—

BY SENATORS HEITMEIER AND LENTINI

A CONCURRENT RESOLUTION

To urge and request the commissioner of insurance to provide reports regarding certain effects of the implementation "flexible rating" in Senate Bill No. 721 on property and casualty insurance rates in Louisiana.

Read by title.

On motion of Rep. Damico, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 140—

BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To establish the Mandatory Overtime Study Committee to study the extent of mandatory overtime required of registered nurses in Louisiana.

Read by title.

On motion of Rep. Johns, and under a suspension of the rules, the above resolution was referred to the Committee on House and Governmental Affairs, under the rules.

Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 123—

BY REPRESENTATIVE POWELL

A RESOLUTION

To declare June 17, 2003, as the first annual Hammond-Ponchatoula Day at the Louisiana House of Representatives.

Read by title.

On motion of Rep. Powell, and under a suspension of the rules, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 248—

BY REPRESENTATIVE PITRE

A CONCURRENT RESOLUTION

To memorialize the U.S. Congress and the President to recognize that the state of Louisiana is committed, and that they commit themselves, to a program to secure a functional and sustainable "America's WETLAND" in the coastal zone of Louisiana and to work in partnership with the state to achieve that goal.

Read by title.

On motion of Rep. Pinac, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 249—

BY REPRESENTATIVE GALLOT AND SENATOR BARHAM

A CONCURRENT RESOLUTION

To commend Albert and Geraldine Hillman of Homer upon the celebration of their sixtieth wedding anniversary.

Read by title.

On motion of Rep. Gallot, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Health and Welfare

June 16, 2003

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on June 12, 2003, I am directed by your Committee on Health and Welfare to submit the following report:

House Concurrent Resolution No. 143, by Tucker
Reported favorably. (9-0)

SYDNIE MAE DURAND
Chairman

Report of the Committee on Civil Law and Procedure

June 16, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Civil Law and Procedure to submit the following report:

Senate Bill No. 257, by Dardenne
Reported with amendments. (6-0) (Regular)

RONNIE JOHNS
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Privileged Report of the Legislative Bureau

June 16, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 4
Reported without amendments.

Senate Bill No. 30
Reported without amendments.

Senate Bill No. 90
Reported without amendments.

Senate Bill No. 128
Reported without amendments.

Senate Bill No. 262
Reported with amendments.

Senate Bill No. 307
Reported without amendments.

Senate Bill No. 400
Reported without amendments.

Senate Bill No. 421
Reported without amendments.

Senate Bill No. 437

Reported without amendments.

Senate Bill No. 578
Reported without amendments.

Senate Bill No. 593
Reported without amendments.

Senate Bill No. 687
Reported without amendments.

Senate Bill No. 736
Reported without amendments.

Senate Bill No. 836
Reported without amendments.

Senate Bill No. 839
Reported without amendments.

Senate Bill No. 843
Reported without amendments.

Senate Bill No. 882
Reported without amendments.

Senate Bill No. 909
Reported without amendments.

Senate Bill No. 1008
Reported without amendments.

Senate Bill No. 1010
Reported without amendments.

Senate Bill No. 1094
Reported without amendments.

Senate Bill No. 1101
Reported without amendments.

Respectfully submitted,

JOE SALTER
Chairman

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions lying over were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 91—

BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To create and provide for the Task Force on Louisiana Rural Internet Access to study and make recommendations with respect to solving problems of high-speed Internet access in Louisiana's rural communities.

Read by title.

Under the rules, the above resolution was referred to the Committee on House and Governmental Affairs.

**House and House Concurrent Resolutions
Reported by Committee**

Page 4 HOUSE

42nd Day's Proceedings - June 16, 2003

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 188— BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To direct the Louisiana Department of Health and Hospitals to compile and release in the annual statistical report the number of abortions by parish and municipality and complications related thereto.

Read by title.

Reported favorably by the Committee on Health and Welfare.

On motion of Rep. Durand, the resolution was ordered engrossed and passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 206— BY REPRESENTATIVE BROOME

A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals and the Louisiana Nursing Home Association to work in conjunction to develop and implement a pilot program to study the practicality of installing electronic monitoring devices in nursing home facilities, as defined by R.S. 40:2009.2 and licensed by the Department of Health and Hospitals.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Concurrent Resolution No. 206 by Representative Broome

AMENDMENT NO. 1

On page 1, line 3, after "to" and before "implement" insert "develop and"

AMENDMENT NO. 2

On page 2, at the end of line 7, delete the period "." and insert "; and"

AMENDMENT NO. 3

On page 2, between lines 7 and 8, insert the following:

"WHEREAS, no resident of a nursing home facility shall be a participant of a pilot study unless the individual makes the decision to participate while of sound mind."

AMENDMENT NO. 4

On page 2, line 11, after "by" and before "implementing" insert "developing and"

On motion of Rep. Durand, the amendments were adopted.

On motion of Rep. Durand, the resolution, as amended, was ordered engrossed and passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 235— BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on March 12, 2003, and as subsequently revised pursuant to board action on May 15, 2003.

Read by title.

Reported favorably by the Committee on Education.

On motion of Rep. Crane, the resolution was ordered engrossed and passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 236— BY REPRESENTATIVES BROOME AND PEYCHAUD

A CONCURRENT RESOLUTION

To create the Predatory Lending Task Force to address the issues and concerns relative to protecting Louisiana citizens from predatory lending practices.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the resolution was ordered engrossed and passed to its third reading.

Senate Concurrent Resolutions Reported by Committee

The following Senate Concurrent Resolutions reported by committee were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 58— BY SENATOR HOLDEN

A CONCURRENT RESOLUTION

To create a special legislative committee to study the effects of mercury in seafood.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Concurrent Resolution No. 58 by Senator Holden

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "to study" delete "create a special legislative committee" and insert "request the House Committee on Natural Resources and the Senate Committee on Natural Resources to meet and function as a joint committee"

AMENDMENT NO. 2

On page 2, line 3, after "RESOLVED" delete the remainder of the line and on line 4, delete "a special legislative committee is hereby established" and insert "that the Legislature of Louisiana does hereby request the House Committee on Natural Resources and the Senate Committee on Natural Resources to meet and function as a joint committee"

AMENDMENT NO. 3

On page 2, line 6, after "that the" delete the remainder of the line and delete lines 7 through 27 and on page 3, delete lines 1 and 2 and insert the following:

"joint committee shall specifically solicit the input, recommendations, and advice of the following:

(1) A toxicologist from the LSU Health Science Center in New Orleans designated by the chief executive officer.

(2) A maternal fetal medicine specialist from Woman's Hospital in Baton Rouge designated by the chief executive officer.

(3) A heavy metal chemist from Southern University in Baton Rouge designated by the chancellor.

(4) A pediatrician member of the Louisiana Chapter of the American Academy of Pediatrics designated by the executive director.

(5) A marine biologist from LSU Baton Rouge designated by the chancellor."

AMENDMENT NO. 4

On page 3, line 3, after "RESOLVED" delete the remainder of the line and delete line 4 and insert the following:

"that the joint committee shall conduct such research, meetings, and hearings as it deems appropriate and shall compile its findings and recommendations into a final report which shall be submitted to the Louisiana Legislature prior to January 1, 2004."

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the resolution, as amended, was ordered passed to its third reading.

SENATE CONCURRENT RESOLUTION NO. 71—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To continue and provide with respect to the Louisiana Public Mental Health Review Commission.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original Senate Concurrent Resolution No. 71 by Senator Schedler

AMENDMENT NO. 1

On page 3, line 19, after "Consumers" delete the remainder of the line and insert a period "."

AMENDMENT NO. 2

On page 3, line 20, after "United" delete the remainder of the line and insert a period "."

AMENDMENT NO. 3

On page 4, after line 27, insert the following:

"44. A representative of the Louisiana Alliance for Children and Families."

On motion of Rep. Lancaster, the amendments were adopted.

On motion of Rep. Lancaster, the resolution, as amended, was ordered passed to its third reading.

SENATE CONCURRENT RESOLUTION NO. 100—

BY SENATOR HAINKEL AND REPRESENTATIVE ALARIO

A CONCURRENT RESOLUTION

To create the Task Force on Regional and Local Economic Development to review industry attraction, expansion, and retention initiatives at the local and regional levels and to determine appropriate funding levels and revenue sources.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the resolution was ordered passed to its third reading.

SENATE CONCURRENT RESOLUTION NO. 101—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals and the Department of Social Services to cooperate in providing for a survey on ten percent of assisted living facilities and residential care facilities.

Read by title.

Reported favorably by the Committee on Health and Welfare.

On motion of Rep. Durand, the resolution was ordered passed to its third reading.

SENATE CONCURRENT RESOLUTION NO. 104—

BY SENATOR BOISSIERE

A CONCURRENT RESOLUTION

To suspend various sections of Title 37 of the Louisiana Revised Statutes of 1950 and those portions of the Louisiana Administrative Code as they may impose certain mandatory requirements for the continuation of any licensure or certification for any individual while in the active military service of the United States or any of its allies.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Pinac, the resolution was ordered passed to its third reading.

Page 6 HOUSE

42nd Day's Proceedings - June 16, 2003

SENATE CONCURRENT RESOLUTION NO. 129— BY SENATOR HINES

A CONCURRENT RESOLUTION

To establish the Physician Assistants Practice Committee to study and make recommendations regarding physician assistants and their scope of practice.

Read by title.

Reported favorably by the Committee on Health and Welfare.

On motion of Rep. Durand, the resolution was ordered passed to its third reading.

Senate Instruments on Second Reading Returned from the Legislative Bureau

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

SENATE BILL NO. 72— BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 15:307(B), relative to ignition interlock devices; to provide relative to the installation of ignition interlock devices as a requirement of probation for operating a vehicle while intoxicated; to prohibit the mail order purchase of such a device; to provide for definitions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 72 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 15:307(B) and before the comma "," insert "and to enact R.S. 32:667(I)"

AMENDMENT NO. 2

On page 1, line 5, after "purchase" and before "of" insert a comma "," and the following: "lease, or acquisition"

AMENDMENT NO. 3

On page 1, line 6, after "definitions;" and before "and" insert "to require the installation of ignition interlock devices in vehicles operated by certain persons who have had their driver's license suspended with regard to an arrest for operating a vehicle while intoxicated;"

AMENDMENT NO. 4

On page 2, line 5, after "device" delete the remainder of the line and insert in lieu thereof "as required by R.S. 14:98 or any other provision of law"

AMENDMENT NO. 5

On page 2, at the beginning of line 6, delete "conviction of a violation of R.S. 14:98" and after "purchase" and before "or" insert a comma "," and the following: "lease,"

AMENDMENT NO. 6

On page 2, delete line 7 in its entirety and insert in lieu thereof "acquire such device by means of mail order. The ignition interlock"

AMENDMENT NO. 7

On page 2, line 9, after "purchased" and before "and" insert a comma "," and the following: "leased, or acquired"

AMENDMENT NO. 8

On page 2, line 12, change "mail order purchase" to "mail order"

AMENDMENT NO. 9

On page 2, line 13, after "sale" and before "of" insert a comma "," and the following: "lease, or acquisition"

AMENDMENT NO. 10

On page 2, line 19, after "purchase," and before "whether" insert "lease, or acquisition"

AMENDMENT NO. 11

On page 2, after line 20, add the following:

"Section 2. R.S. 32:667(I) is hereby enacted to read as follows:

§667. Seizure of license; circumstances; temporary license

* * *

I.(1) In addition to any other provision of law, an ignition interlock device shall be installed in any motor vehicle operated by any of the following persons whose driver's license has been suspended in connection with the following circumstances as a condition of the reinstatement of such person's driver's license:

(a) Any person who has refused to submit to an approved chemical test for intoxication, after being requested to do so, and whose driver's license has been suspended in accordance with the provisions of this Section.

(b) Any person who has submitted to an approved chemical test for intoxication where the results indicate a blood alcohol level of 0.08 percent or above and whose driver's license has been suspended in accordance with the provisions of this Section for a second or subsequent violation occurring within five years of the first violation.

(c) Any person who is arrested for a violation of R.S. 14:98, R.S. 14:98.1, or a parish or municipal ordinance that prohibits operating a vehicle while intoxicated and is involved, as a driver, in a traffic crash which involves moderate bodily injury or serious bodily injury as defined in R.S. 32:666(A).

(d) Any person who is arrested for a violation of R.S. 14:98, R.S. 14:98.1, or a parish or municipal ordinance that prohibits operating a vehicle while intoxicated and a minor child twelve years of age or younger was a passenger in the motor vehicle at the time of the commission of the offense.

(2) As to any person enumerated in Paragraph (1) of this Subsection, the ignition interlock device shall remain on the motor

vehicle for a period of not less than six months. The ignition interlock device may be installed either prior to the reinstatement of the driver's license, if the person has lawfully obtained a restricted driver's license, or as a condition of the reinstatement of the driver's license.

(3) The provisions of this Subsection shall not abrogate any other provision of law regarding the installation and maintenance of ignition interlock devices."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the amendments were adopted.

On motion of Rep. Martiny, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 77—
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 26:81(C), and (D) and 281(C), (D) and (F) and to enact R.S. 17:405(A)(1)(h) and (i), and (4), relative to the status and location of licensed day care centers; to provide relative to the proximity of licensed day care centers to alcohol service providers; to place such day care centers within drug free zones; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 77 by Senator Mount

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line

AMENDMENT NO. 2

On page 1, line 3, after "relative to" delete the remainder of the line, and delete lines 4 through 6 in their entirety, and insert "day care centers; to provide that full-time day care centers and areas within one thousand feet of any property used for the purposes of a full-time day care center shall be included in the definition of a "drug free zone"; to define "full-time day care center" and "property used for the purposes of a full-time day care center"; and to provide for"

AMENDMENT NO. 3

On page 2, line 5, after "used for" insert "the purposes of"

AMENDMENT NO. 4

On page 2, delete lines 14 through 26 in their entirety, and delete page 3 in its entirety, and on page 4, delete lines 1 through 21 in their entirety

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the amendments were adopted.

On motion of Rep. Martiny, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 98—
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 14:63 and to repeal R.S. 14:63.1, 63.2, 63.5, 63.6, 63.7, 63.8, 63.9, 63.10, and 63.12, relative to criminal trespass; to provide for the crime of unauthorized entry; to provide for penalties; to provide exemptions; to provide for the limitation of liability of owners, lessees, and custodians; to delete certain specific types of crimes of trespass; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 98 by Senator Lentini

AMENDMENT NO. 1

On page 1, at the end of line 5, change the comma "," to "and"

AMENDMENT NO. 2

On page 1, line 6, after "lessees" and before the semicolon ";" delete the comma "," and the following "and custodians;"

AMENDMENT NO. 3

On page 7, delete lines 16 through 26 in their entirety and on page 8, delete line 1 in its entirety and insert in lieu thereof the following:

"The owner or lessee shall be immune from liability as a result of trespassing by any person who is charged with and convicted of criminal trespass."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the amendments were adopted.

On motion of Rep. Martiny, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 202—
BY SENATOR BOISSIERE

AN ACT

To repeal Act No. 293 of the 1976 Regular Session, relative to the ownership of building property by certain retirement systems; to provide with respect to the ownership of building property of the Teachers' Retirement System of Louisiana, the Louisiana State Employees' Retirement System and the School Employees' Retirement System of Louisiana; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Schneider, the bill was ordered passed to its third reading.

Page 8 HOUSE

42nd Day's Proceedings - June 16, 2003

Under the rules, placed on the regular calendar.

SENATE BILL NO. 207— BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 14:27(D)(1) and to enact R.S. 14:27(E), relative to attempted crimes; to provide relative to attempts of certain crimes; to increase penalties for such attempts when the victim is a peace officer; to define peace officer; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 235— BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 17:1186(B), relative to leaves of absence for teachers; to increase the maximum duration of leave without pay to be granted to certain employees; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Crane, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 281— BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:1307(A)(3), relative to the State Police Pension and Retirement System; to provide with respect to member benefits; to provide with respect to a retirement benefit longevity increase for members who participated in the Deferred Retirement Option Plan on or before June 30, 2003, and who continued in employment after participation in the Deferred Retirement Option Plan without a break in service and who remained in such continuous employment on July 1, 2003; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Schneider, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 295— BY SENATOR DARDENNE

AN ACT

To amend and reenact Code of Criminal Procedure Art. 571.1 and 572 and to enact Code of Criminal Procedure Art. 572.1, relative to time limitations of prosecution; to repeal such limitations on certain offenses under certain conditions; to provide for definitions; to provide for retroactive application of provisions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 295 by Senator Dardenne

AMENDMENT NO. 1

On page 3, line 6, after "commenced" delete the remainder of the line and delete lines 7 through 14 in their entirety and insert in lieu thereof the following:

"beyond the time limitations set forth in this Title if the identity of the offender is established after the expiration of such time limitation through the use of a DNA profile."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the amendments were adopted.

On motion of Rep. Martiny, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 303— BY SENATORS MOUNT AND SCHEDLER

AN ACT

To amend and reenact Title V of the Children's Code, to be comprised of Articles 501 and 502, 507 through 514, 521 through 526, and 531 through 533; and to repeal Children's Code Article 503, relative to services to families; to provide for the use of multidisciplinary investigative teams as a response to the investigation and disposition of cases of child abuse within each judicial district; to provide for definitions; to provide for the membership of each team; to provide for the development and content of interagency protocols for each team for the investigation of allegations of child abuse; to provide for the qualifications of a forensic interviewer of children; to provide for the adoption of a confidentiality policy for a multidisciplinary team; to provide for immunity from civil or criminal liability for a team member; to provide for the establishment of child advocacy centers to encourage agency cooperation and to expedite the resolution of abuse allegations; to establish the responsibilities, confidentiality policy and immunity from civil or criminal liability for the child advocacy centers; to revise certain statutory provisions regarding the Children's Advocacy Clearinghouse; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 304—
BY SENATOR DARDENNE

AN ACT

To amend and reenact Code of Civil Procedure Arts. 3603.1(A), 3604(C), 3607.1(A) and (B), and 3610, Code of Criminal Procedure Arts. 29(B), 30, 327.1, 335.1(A), 871.1 and 895(L)(1), R.S. 9:366 and 372(A), R.S. 13:4243(B) and 4248(A) and (C), R.S. 14:79(A)(1) and (2) and (E), R.S. 46:2135(A)(2), 2136(A)(2), 2136.2(A), (B) and (F), the introductory paragraph of 2140, 2140(1) and (2) and to enact R.S. 9:372.1, R.S. 46:1842(9)(d) and 2151(C), all relative to domestic violence; to provide for payment of costs for a peace bond and security for a temporary restraining order or preliminary injunction by a victim of domestic violence; to provide for filing and transmittal of Uniform Abuse Prevention Orders; to provide for the definition of dating violence; to provide for protective order relief relative to possession of the family home; to provide for the duties of law enforcement officers relative to domestic abuse; to provide for injunctions against harassment; to delete certain notice requirements in protective order proceedings; to provide relative to the violation and enforcement of foreign protective orders; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 398—
BY SENATORS FONTENOT, IRONS, MOUNT, BAJOE AND HINES
AN ACT

To enact R.S. 17:17, relative to the State Department of Education; to require the employment of a physical education coordinator; to provide for recommendations regarding such coordinator; to require the posting of a state physical activity plan to the department website; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Reengrossed Senate Bill No. 398 by Senator Fontenot, et al.

AMENDMENT NO. 1

On page 1, line 2, after "relative to" delete the remainder of the line and delete lines 3 through 5 in their entirety and insert "physical activity for students; to require certain public schools to provide daily physical activity for students; and to provide"

AMENDMENT NO. 2

On page 1, line 9, after "Physical" delete the remainder of the line and insert "activity; students; required"

AMENDMENT NO. 3

On page 1, delete lines 11 through 15 in their entirety and on page 2, delete lines 1 through 22 in their entirety and insert in lieu thereof the following:

"Effective for the 2004-2005 school year and thereafter, each public school with grades kindergarten through six shall provide at least thirty minutes each school day of quality physical activity for students."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 424—
BY SENATOR CHAISSON
AN ACT

To enact R.S. 27:302(E), relative to the Video Draw Poker Devices Control Law; to provide with respect to description and specifications of devices; to provide for the scheduling of video poker games with no minimum wager; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 424 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 2, after "enact" and before "relative" delete "R.S. 27:302(E)," and insert "R.S. 27:302(E) and (F),"

AMENDMENT NO. 2

On page 1, line 5, after "wager;" and before "and" insert "to provide authorization of minimum wagers in video draw poker devices located in Orleans Parish;"

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." and before "hereby" delete "R.S. 27:302(E) is" and insert "R.S. 27:302(E) and (F) are"

AMENDMENT NO. 4

Page 10 HOUSE

42nd Day's Proceedings - June 16, 2003

On page 1, line 12, after "Chapter" and before "may" insert a comma "," and insert "in any parish other than Orleans,"

AMENDMENT NO. 5

On page 1, after line 13, insert the following:

"F. Video draw poker devices in any facility licensed pursuant to this Chapter located in Orleans Parish may schedule games with such minimum wager as may be approved by the division, provided it has been determined by the Louisiana Gaming Control Board that permitting such minimum wager in Orleans Parish will not violate any of the terms or provisions of Section 1.3 of the Amended and Renegotiated Casino Operating Contract entered into pursuant to R.S. 27:201, et seq., on October 30, 1998, as amended, effective October 19, 1999, March 29, 2001, and March 31, 2001. Any change to the minimum wager in violation of this Subsection shall be null and void."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the amendments were adopted.

On motion of Rep. Martiny, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 425— BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:447, 448, 449, 450 and 451, and to enact R.S. 11:451.1, 451.2, 451.3 and 451.4, relative to the Louisiana State Employees' Retirement System; to provide for self-directed investment funds in the Deferred Retirement Option Plan and to alter other provisions of the plan to be compatible with the changes in the plan; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 425 by Senator Boissiere

AMENDMENT NO. 1

On page 1, lines 2 and 10, following "448" and before the comma "," insert "(A), (C), and (D)"

AMENDMENT NO. 2

On page 1, lines 2 and 10, following "450" and before "and" insert "(B), (D)(3) and (4)"

AMENDMENT NO. 3

On page 1, at the end of line 2, insert "11:450(A)(3) and (D)(6)," and at the beginning of line 3, delete "11:"

AMENDMENT NO. 4

On page 1, line 11, following "R.S. 11:" and before "451.1" insert "450(A)(3) and (D)(6),"

On motion of Rep. Schneider, the amendments were adopted.

On motion of Rep. Schneider, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 426— BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:1902(11), 1903(H), 1928(B)(1), 1932(A) and (B), and 1976, relative to the Parochial Employees' Retirement System of Louisiana; to provide with respect to the method used to calculate overtime; to provide with respect to plans for extending member benefits; to provide with respect to retirees in elected positions; to provide with respect to the mode of payment options; to provide with respect to employee contribution rate; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Reengrossed Senate Bill No. 426 by Senator Boissiere

AMENDMENT NO. 1

On page 4, line 3, after "Option" change "1" to "2"

AMENDMENT NO. 2

On page 4, line 6, after "Option" change "2" to "3"

AMENDMENT NO. 3

On page 4, line 10, after "Option" change "3" to "4"

Reported without amendments by the Legislative Bureau.

On motion of Rep. Schneider, the amendments were adopted.

On motion of Rep. Schneider, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 427— BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:822(E), relative to Teachers' Retirement System of Louisiana; to provide with respect to election procedures; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 427 by Senator Boissiere

AMENDMENT NO. 1

On page 2, line 10, after "trustees" delete the period "." and insert "and reviewed by the chairmen of the House of Representatives and Senate committees on retirement."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Schneider, the amendments were adopted.

On motion of Rep. Schneider, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 477— BY SENATOR CHAISSON

AN ACT

To enact R.S. 27:301(B)(16) and 302(A)(5)(p), relative to the Video Draw Poker Devices Control Law; to provide with respect to video draw poker; to provide for definitions; to provide for description and specifications; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 477 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 5, after "specifications;" and before "and" insert "to provide for authorization of multi-hand games in video draw poker devices located in Orleans Parish;"

AMENDMENT NO. 2

On page 2, at the end of line 16, delete the period "." and insert a comma "," and insert the following:

"provided that, with respect to any video draw poker device located in Orleans Parish, no multi-hand game is or may be authorized unless it has been determined by the Louisiana Gaming Control Board that permitting such game in Orleans Parish will not violate any of the terms or provisions of Section 1.3 of the Amended and Renegotiated Casino Operating Contract entered into pursuant to R.S. 27:201, et seq., on October 30, 1998, as amended, effective October 19, 1999, March 29, 2001, and March 31, 2001. Any authorization of a multi-hand game by the division in violation of this Subparagraph shall be null and void."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the amendments were adopted.

On motion of Rep. Martiny, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 480— BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 15:542.1(H)(1) and 572(B), relative to sex offenses; to provide relative to required registration of sex offenders; to limit certain exemptions from such registration to a pardon by the governor; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 480 by Senator Chaisson

AMENDMENT NO. 1

On page 1, delete line 4 in its entirety and insert "to provide that the requirement to register shall apply to an offender who is pardoned;"

AMENDMENT NO. 2

On page 1, at the beginning of line 5, delete "governor;"

AMENDMENT NO. 3

On page 2, line 2, after "vacated" insert a period "." and delete the remainder of the line

AMENDMENT NO. 4

On page 2, delete lines 3 and 4 in their entirety and insert "The requirement to register shall apply to an offender who is pardoned."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the amendments were adopted.

On motion of Rep. Martiny, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 481— BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 27:302 (A)(5)(i), relative to the Video Draw Poker Devices Control Law; to provide with respect to the denomination of bills a video draw poker device accepts; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

Page 12 HOUSE

42nd Day's Proceedings - June 16, 2003

SENATE BILL NO. 502—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 14:43(A)(1), relative to the crime of simple rape; to revise one of a set of circumstances that makes an act of sexual intercourse deemed to be without lawful consent; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 508—

BY SENATORS C. JONES AND CRAVINS

AN ACT

To enact R.S. 15:574.22(G)(4), relative to parole; to provide relative to the Louisiana Risk Review Panel; to provide relative to offenders serving a sentence of life imprisonment; to authorize application of such offenders to the risk review panel under certain conditions; to provide for exceptions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 508 by Senator C. Jones

AMENDMENT NO. 1

On page 1, line 2, after "enact" and before "relative" delete "R.S. 15:574.22(G)(4)," and insert "R.S. 15:574.22(G)(2)(d),"

AMENDMENT NO. 2

On page 1, line 3, after "Panel;" delete the remainder of the line and delete lines 4 and 5 in their entirety and insert "to provide that persons sentenced to life imprisonment for violations of the uniform controlled dangerous substances law may be evaluated by the risk review panel after serving a number of years in custody; to provide"

AMENDMENT NO. 3

On page 1, line 8, after "Section 1." and before "is" delete "R.S. 15:574.22(G)(4)" and insert "R.S. 15:574.22(G)(2)(d)"

AMENDMENT NO. 4

On page 2, delete lines 3 through 16 in their entirety and insert in lieu thereof the following:

"(2) A person convicted of a violation of the Uniform Controlled Dangerous Substances Law except for any of the following:

* * *

(d) A person sentenced to a term of life imprisonment for a violation of the Uniform Controlled Dangerous Substances Law who

has served at least twenty years of the term of imprisonment in actual custody."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the amendments were adopted.

On motion of Rep. Martiny, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 511—

BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 40:961(8) and 967(F)(3), relative to controlled dangerous substances; to provide relative to the penalties for possession of GHB (gamma hydroxybutyric acid) and analogues of GHB to eliminate inaccurate references to Schedule II(D)(2); to provide relative to the definition of a controlled substance analogue; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 522—

BY SENATOR C. JONES

AN ACT

To amend and reenact Code of Criminal Procedure Art. 926.1 (A)(1), (H)(3), and (K) and R.S. 15:151.2(G) and to enact Code of Criminal Procedure Art. 926.1(A)(3) and 930.7(D), relative to post conviction relief; to provide relative to DNA testing; to extend the period of time in which an application for post conviction relief through DNA testing can be made; to require appointment of counsel for an indigent petitioner for such relief; to create the Court Appointed Counsel for Post-Conviction Relief for Indigents in Non-Capital Cases Fund; to place such fund under the authority of the Indigent Defense Assistance Board; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 522 by Senator C. Jones

AMENDMENT NO. 1

On page 1, line 3, delete "and to enact Code of Criminal Procedure" and on line 4, delete "Art. 926.1(A)(3) and 930.7(D)"

AMENDMENT NO. 2

On page 1, delete lines 7 through 10, and insert "made; and to"

AMENDMENT NO. 3

On page 1, at the end of line 14, delete "and Code of"

AMENDMENT NO. 4

On page 1, delete line 15, and insert "to read"

AMENDMENT NO. 5

On page 2, delete lines 11 through 14 in their entirety

AMENDMENT NO. 6

On page 2, line 16, change "H.(1)" to "H."

AMENDMENT NO. 7

On page 2, line 17, after "(3)" add the following: "After service of the application on the district attorney and the law enforcement agency in possession of the evidence,"

AMENDMENT NO. 8

On page 2, line 18, before "clerks" change "The" to "the"

AMENDMENT NO. 9

On page 3, delete lines 13 through 26 in their entirety and on page 4, delete lines 1 through 12 in their entirety

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 522 by Senator C. Jones

AMENDMENT NO. 1

In House Committee Amendment No. 1 proposed by the House Committee on Administration of Criminal Justice, on line 2 before "and to enact" insert "and R.S. 15:151.2(G)"

AMENDMENT NO. 2

In House Committee Amendment No. 3 proposed by the House Committee on Administration of Criminal Justice, on line 7, following "page 1," insert "line 14, delete "and R.S. 15:151.2(G)", and

On motion of Rep. Martiny, the amendments were adopted.

On motion of Rep. Martiny, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 552—
BY SENATOR C. JONES

AN ACT

To amend and reenact Children's Code Art. 903(A), relative to delinquency; to provide with respect to disposition hearings; to provide that judges shall not base any judgment of disposition of a juvenile on certain factors; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 602—
BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:1139, relative to the Louisiana School Employees' Retirement System; to provide for purchase of service credit for service as "employee" with an out-of-state school board; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Schneider, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 603—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:1137, relative to the Louisiana School Employees' Retirement System; to provide with respect to the purchase of service by any active, contributing member of the retirement system; to establish the procedure for such purchases; to provide an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Reengrossed Senate Bill No. 603 by Senator Boissiere

AMENDMENT NO. 1

On page 2, line 2, after "11:158" delete the period "." and delete the remainder of the line and delete lines 3 through 5 in their entirety and on line 6, delete "make application for this credit." and insert a semicolon ";" and

"however, the member shall have rendered service as an employee for a minimum of ninety days and shall purchase a minimum of ninety days' service in order to avail himself of the provisions of this Section."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Schneider, the amendments were adopted.

On motion of Rep. Schneider, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

Page 14 HOUSE

42nd Day's Proceedings - June 16, 2003

SENATE BILL NO. 627—

BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 14:102.1(A)(1)(c) and (B)(1), relative to offenses affecting the public sensibility; to provide relative to cruelty to animals; to provide relative to the care of animals; to provide relative to the killing of animals; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 636—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:153(A), relative to the Louisiana State Employees' Retirement System; to authorize the receipt of service credit for any legislator serving on January 1, 1997, who is a military retiree and a member of the system; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Schneider, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 660—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 14:95(G)(3)(a), relative to offenses affecting the public safety; to provide with respect to the illegal carrying of weapons; to provide for certain exemptions from the prohibition of carrying concealed weapons for active and retired reserve or auxiliary law enforcement officers who are qualified annually by the Council on Peace Officer Standards and Training; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 706—

BY SENATOR IRONS

AN ACT

To enact R.S. 17:406.6, relative to parental involvement in schools; to provide for the establishment of a demonstration program in certain school systems; to provide for the selection of participating

schools; to provide for the definition, qualification, selection and duties of an independent parent review board; to provide relative to the evaluation of parental involvement programs; to require a report of findings to the State Board of Elementary and Secondary Education; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Engrossed Senate Bill No. 706 by Senator Irons

AMENDMENT NO. 1

On page 1, line 3, after "in" and before "school" change "certain" to "local"

AMENDMENT NO. 2

On page 2, line 8, after "parish" and before "and" insert a comma ","

AMENDMENT NO. 3

On page 2, line 14, after "any" delete the remainder of the line and delete line 15 and at the beginning of line 16 delete "shall include ten schools which" and insert "city, parish, or other local public school system and shall include schools that"

AMENDMENT NO. 4

On page 2, line 26, after "of" and before "elementary" delete "ten"

AMENDMENT NO. 5

On page 3, line 3, after "(b)" and before "shall" change "The participating schools" to "Each participating school"

AMENDMENT NO. 6

On page 3, at the end of line 4, change "programs" to "program"

AMENDMENT NO. 7

On page 4, line 11, after "urban" and before "schools" insert "or rural"

Reported without amendments by the Legislative Bureau.

On motion of Rep. Crane, the amendments were adopted.

On motion of Rep. Crane, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 728—

BY SENATOR C. JONES

AN ACT

To enact R.S. 11:553(18), relative to Louisiana State Employees' Retirement System; to provide with respect to eligible judges and court officers; to include the judicial administrator and his deputies for the Fourth Judicial District Court for the parishes of Morehouse and Ouachita; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 728 by Senator C. Jones

AMENDMENT NO. 1

On page 2, at the beginning of line 2, insert "his"

Reported without amendments by the Legislative Bureau.

On motion of Rep. Schneider, the amendments were adopted.

On motion of Rep. Schneider, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 761— BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 14:42(A)(4) and to enact Code of Criminal Procedure Art. 336.1, relative to certain sex offenses; to provide relative to the crime of aggravated rape; to raise the age of the victim as an element of such crime; to require certain considerations by the court in determining release on bail for offenses of such crime; to provide relative to the conditions of release on bail for an indictment for such a crime; to provide relative to electronic monitoring; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 761 by Senator Cain

AMENDMENT NO. 1

On page 2, line 19, after "prepared by the" and before "relative" change "American Psychiatric Association" to "United States Department of Justice"

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the amendments were adopted.

On motion of Rep. Martiny, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 801— BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 15:587(E), relative to criminal history records; to allow certain employers or their representatives to obtain criminal history records of persons applying for employment; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 867— BY SENATOR SCHEDLER

AN ACT

To amend and reenact Subpart C-2 of Part II of Chapter 4 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1519 through 1519.13, and R.S. 46:6, to enact Chapter 59 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2761, and to repeal R.S. 46:6(B) and (C), relative to the Louisiana State University Health Sciences Center-Health Care Services Division; to provide for definitions; to provide for structure, duties, powers, and responsibilities of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to govern the division; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 867 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 4, change "1519.13" to "1519.14" and after R.S. 46.6 insert "(A)"

AMENDMENT NO. 2

On page 1, line 15, change "1519.13" to "1519.14"

AMENDMENT NO. 3

On page 14, after line 26, insert "(d) University Medical Center in Lafayette."

AMENDMENT NO. 4

On page 15, line 1, change "(d)" to "(e)"

AMENDMENT NO. 5

On page 15, line 2, change "(e)" to "(f)"

AMENDMENT NO. 6

On page 15, line 3, change "(f)" to "(g)"

AMENDMENT NO. 7

On page 15, line 4, change "(g)" to "(h)"

Page 16 HOUSE

42nd Day's Proceedings - June 16, 2003

AMENDMENT NO. 8

On page 15, delete line 12 in its entirety

AMENDMENT NO. 9

On page 33, line 2, after "level." and before "Funding" insert the following:

"If any services are reduced by greater than fifteen percent in any one year, legislative approval must be obtained before reducing such services greater than fifteen percent in any year for the next three years."

AMENDMENT NO. 10

On page 39, line 18, after "uninsured" and before "medical" delete "or those with emergency" and insert "and who present with non-emergency"

AMENDMENT NO. 11

On page 65, at the end of line 12, after "shall" insert "each"

AMENDMENT NO. 12

On page 66, delete lines 9 through 13 in their entirety, and insert the following:

"(1) Inquire into the needs of the population and health care providers in the catchment area, the matter of the policies thereof, and make such recommendations with respect thereto as may be deemed important and necessary for the welfare of the catchment area, the health of the public in this area, and the welfare and progress of the hospitals in the catchment area."

AMENDMENT NO. 13

On page 66, line 14, after "advise" and before "the" delete "with" and after "the" and before "as" change "secretary" to "hospital administrator"

AMENDMENT NO. 14

On page 68, between lines 13 and 14, insert the following:

"§1519.14. Southern University Planning Council

A. There is hereby established the Southern University Planning Council within the LSU Health Sciences Center New Orleans-Health Care Services Division.

B. The Southern University Planning Council shall be composed of three representatives from Southern University appointed by the chancellor of Southern University's Baton Rouge Campus, and three representatives from LSU Health Sciences Center New Orleans appointed by its chancellor.

C. The Southern University Planning Council shall meet as often as necessary for the purpose of coordinating nursing and other health training programs at the Earl K. Long Medical Center in Baton Rouge."

AMENDMENT NO. 15

On page 68, line 14, after "R.S. 46.6" insert "(A)"

AMENDMENT NO. 16

On page 68, at the beginning of line 18, insert "A."

AMENDMENT NO. 17

On page 69, at the end of line 1, after the comma ", " delete "or"

AMENDMENT NO. 18

On page 69, line 3, after "patient's" and before "physician" insert "treating"

AMENDMENT NO. 19

On page 69, line 3, after "or" and before "has" insert "if the person"

AMENDMENT NO. 20

On page 69, line 6, after "payments" delete "; or" and insert a comma ", "

AMENDMENT NO. 21

On page 69, line 8, change "treating physician" to "patient's treating physician"

Reported without amendments by the Legislative Bureau.

On motion of Rep. Durand, the amendments were adopted.

On motion of Rep. Durand, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 963—

BY SENATORS CRAVINS, MICHOT, IRONS AND HOLDEN AND REPRESENTATIVES K. CARTER, GLOVER, GUILLORY, M. JACKSON AND MORRELL

AN ACT

To enact R.S. 15:902.2, relative to juvenile institutions; to provide for the closure of Swanson Correctional Center for Youth-Madison Parish Unit; to require the Department of Public Safety and Corrections to develop a plan for closure of the facility and placement of the youth confined at the facility; to provide for an effective date; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Salter, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 986—

BY SENATOR IRONS

AN ACT

To enact R.S. 11:3385.1(L), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to authorize eligible members to elect to participate in the Deferred Retirement Option Plan on a retroactive basis and receive a lump sum benefit of up to five years based upon the value of the pension at the retroactive date selected; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 986 by Senator Irons

AMENDMENT NO. 1

On page 2, line 2, after "system," insert "who receives a career-ending service injury while participating in the Deferred Retirement Option Plan,"

Reported without amendments by the Legislative Bureau.

On motion of Rep. Schneider, the amendments were adopted.

On motion of Rep. Schneider, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1027—
BY SENATOR JOHNSON**AN ACT**

To enact R.S. 14:40.4, relative to assault, battery, and related offenses; to prohibit burning a cross on the property of another or in a public place under certain circumstances; to provide penalties; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1031—
BY SENATOR ROMERO**AN ACT**

To amend and reenact R.S. 40:2403(H) and to enact R.S. 14:67.16(G) and R.S. 44:3(G), relative to crimes of misappropriation without violence; to provide relative to the crime of identity theft; to provide relative to the investigation of an allegation of such crime; to require such investigation under certain circumstances; to require training of police officers relative to such crime; to require funding prior to the implementation of such training; to provide for an effective date for the implementation of such training; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Martiny, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1035—
BY SENATOR DUPRE**AN ACT**

To amend and reenact R.S. 11:1732(14)(a), relative to the Municipal Employees' Retirement System of Louisiana; to provide with respect to the definition of employer; to allow employees of planning and development commissions to join the retirement system; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Schneider, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1076—
BY SENATOR BOISSIERE**AN ACT**

To enact R.S. 11:263(F), 266.1 and 268, relative to Louisiana state public retirement or pension systems, funds, and plans; to direct the governing authorities of the state public retirement or pension systems, funds, and plans to prepare a policy wherein the system, fund or plan shall propose how it intends to invest in small and emerging businesses, venture capital firms, and in-state money management firms; to direct the governing authorities of the state public retirement or pension systems, funds, and plans to prepare a policy wherein the system, fund or plan shall propose how it intends to use in or out-of-state emerging businesses, money managers, and venture capital firms; to require each Louisiana state public retirement or pension system, fund, or plan to direct at least ten percent of all investment trades through a broker-dealer who maintains an office in Louisiana and ten percent through a broker-dealer who has been incorporated and domiciled in Louisiana for at least two years; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Re-engrossed Senate Bill No. 1076 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 5, after "fund" insert a comma ","

AMENDMENT NO. 2

On page 1, line 9, after "fund" insert a comma ","

AMENDMENT NO. 3

On page 1, line 10, change "in" to "in-state"

AMENDMENT NO. 4

On page 1, line 11, delete "to require" and insert in lieu thereof "to provide for a two-year pilot program, requiring"

Page 18 HOUSE

42nd Day's Proceedings - June 16, 2003

AMENDMENT NO. 5

On page 1, line 13, after "through" delete "a"

AMENDMENT NO. 6

On page 1, at the beginning of line 14, change "dealer" to "dealers"

AMENDMENT NO. 7

On page 1, at the end of line 14, delete "a"

AMENDMENT NO. 8

On page 1, at the beginning of line 15, change "broker-dealer" to "broker-dealers"

AMENDMENT NO. 9

On page 1, line 15, after "who" and before "been" change "has" to "have"

AMENDMENT NO. 10

On page 2, line 1, after "years;" insert "to provide for interim cost analyses on the results of the pilot program; to provide a sunset date for the pilot program;"

AMENDMENT NO. 11

On page 2, line 13, after "11:268" delete the period "." and insert "so long as such investment otherwise complies with the provisions of this Section."

AMENDMENT NO. 12

On page 2, line 21, after "all" delete the remainder of the line and delete lines 22 and 23 in their entirety and insert in lieu thereof:

"trades of listed equity and fixed income separately managed accounts through broker-dealers who maintain offices in Louisiana and ten percent of all trades of listed equity and fixed income separately managed accounts through broker-dealers who have"

AMENDMENT NO. 13

On page 2, line 25, after "who" change "is" to "are"

AMENDMENT NO. 14

On page 2, line 26, after "Dealers" insert a comma ","

AMENDMENT NO. 15

On page 3, between lines 4 and 5, insert:

"D. The provisions of this Section shall be implemented as a temporary pilot program and shall be null, void, and of no effect after June 30, 2005. An interim cost analysis of the provisions of this Section shall be performed by the systems and shall be presented to the speaker of the House of Representatives, the president of the Senate, the chairmen of the House of Representatives and Senate committees on retirement, the Public Retirement Systems' Actuarial Committee, and the Commission on Public Retirement at least fourteen days before the convening of the regular legislative session in 2005."

AMENDMENT NO. 16

On page 3, delete line 21 in its entirety and insert in lieu thereof "the state public retirement or pension systems, funds, or plans; however, the"

AMENDMENT NO. 17

On page 4, line 17, after "indirectly" insert a comma ","

AMENDMENT NO. 18

On page 4, line 21, after "fund," change "and" to "or"

AMENDMENT NO. 19

On page 4, at the beginning of line 25, change "Section 2." to "F."

AMENDMENT NO. 20

On page 5, line 1, after "Senate" delete the remainder of the line and insert "and House of Representatives committees on retirement on"

AMENDMENT NO. 21

On page 5, at the beginning of line 5, delete "are either" and insert in lieu thereof "either have been"

AMENDMENT NO. 22

On page 5, at the beginning of line 6, delete "maintains an office" and insert in lieu thereof "maintain offices"

AMENDMENT NO. 23

On page 5, line 7, change "in" to "in-state"

AMENDMENT NO. 24

On page 5, between lines 7 and 8, insert:

"G. The provisions of this Section shall be null, void, and of no effect after June 30, 2005.

Section 2. The pilot program established by this Act shall not be extended unless and until the House of Representatives and Senate committees on retirement meeting jointly, the Public Retirement Systems' Actuarial Committee, and the Commission on Public Retirement have held public meetings to discuss the cost analysis of the systems and the legislature extends the provisions of this Act by legislative enactment."

Reported without amendments by the Legislative Bureau.

On motion of Rep. Schneider, the amendments were adopted.

On motion of Rep. Schneider, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1090—

BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 39:1533(A) and to enact Part IX-A of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:382.1 and 771(E) and Chapter 16 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:851 through 856, and R.S. 36:254(H) and 258(H), relative to human services; to provide a statewide framework to govern the delivery of mental health, developmental

disabilities, and addictive disorders services funded by appropriations from the state; to create the Metropolitan Human Services District; to provide for powers, duties, and functions of the district; to create a governing board and provide for membership, powers, duties, and functions; to provide for the transfer of certain powers, duties, and functions from the Department of Health and Hospitals to the district; to provide for the transfer of employees; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Durand, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 1110—
BY SENATOR BOISSIERE

AN ACT

To enact Part I-B of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:25.1 through 25.2, relative to motor vehicle insurance; to authorize creation of a database to determine compliance with the Motor Vehicle Safety Responsibility Law; to provide for procurement of a system to track compliance; to provide for enforcement; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Engrossed Senate Bill No. 1110 by Senator Boissiere

AMENDMENT NO. 1

On page 2, delete lines 19 through 22, both inclusive and in their entirety.

AMENDMENT NO. 2

On page 2, line 23 change "shall" to "may"

Reported without amendments by the Legislative Bureau.

On motion of Rep. Hebert, the amendments were adopted.

On motion of Rep. Hebert, the bill, as amended, was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

Suspension of the Rules

On motion of Rep. Honey, the rules were suspended in order to take up and consider House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

**House Bills and Joint Resolutions on
Third Reading and Final Passage**

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

HOUSE BILL NO. 670—

BY REPRESENTATIVE DANIEL

A JOINT RESOLUTION

Proposing to add Article VII, Section 10.11 of the Constitution of Louisiana, relative to intergovernmental relations; to create the Trust Fund for the Elderly within the state treasury; to provide for deposit of monies into the fund; to provide for investment and uses of monies in the fund; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Daniel, the bill was returned to the calendar.

HOUSE BILL NO. 691—

BY REPRESENTATIVE FARRAR

AN ACT

To amend and reenact R.S. 22:1021 and 1023, relative to foreign and alien insurers; to provide for deposit and bond requirement; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Farrar, the bill was returned to the calendar.

HOUSE BILL NO. 1657—

BY REPRESENTATIVES HONEY, CURTIS, HUDSON, AND MORRELL AND SENATOR HOLDEN

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(introductory paragraph) and (xii), to provide relative to Tuition Opportunity Program for Students high school core curriculum requirements for certain awards; to provide applicability; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Honey moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Pierre
Alario	Futrell	Pinac
Alexander	Gallot	Pitre
Arnold	Glover	Powell
Baldone	Guillory	Richmond
Baudoin	Hammett	Romero
Baylor	Heaton	Salter
Beard	Hebert	Scalise
Bowler	Hill	Schneider
Broome	Honey	Schwegmann
Bruce	Hopkins	Shaw
Bruneau	Hudson	Smith, G.—56th
Capella	Hunter	Smith, J.D.—50th
Carter, R	Hutter	Smith, J.H.—8th

Page 20 HOUSE

42nd Day's Proceedings - June 16, 2003

Cazayoux	Iles	Smith, J.R.—30th
Crane	Jackson, L	Sneed
Crowe	Jackson, M	Stelly
Curtis	Johns	Strain
Damico	Katz	Swilling
Daniel	Kenney	Thompson
Dartez	LaFleur	Toomy
Devillier	Lancaster	Townsend
Diez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downer	McDonald	Waddell
Downs	McVea	Walker
Durand	Montgomery	Walsworth
Erdey	Morrell	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Nevers	Wright
Flavin	Odinet	
Frith	Perkins	
Total—97		

NAYS

Total—0

ABSENT

Ansardi	Kennard	Peychaud
Carter, K	Landrieu	Quezaire
Green	Martiny	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Honey moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1157—

BY REPRESENTATIVE POWELL

AN ACT

To enact R.S. 17:3997(F), relative to the Northwood Preparatory High School, to provide for duties of the State Board of Elementary and Secondary Education regarding the development, and administration of a claims process for former employees of the Northwood Preparatory High School to receive unpaid wages and benefits; to authorize and provide for the payment of certain claims; from certain monies provided to the Tangipahoa Parish School Board pursuant to cooperative endeavor with the state which monies may be used for payment of claims under certain circumstances; to provide for conditions for effectiveness; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Powell sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Powell to Engrossed House Bill No. 1157 by Representative Powell

AMENDMENT NO. 1

Delete the set of House Floor Amendments proposed by Representative Murray and adopted by the House on June 11, 2003.

Rep. Powell moved the adoption of the amendments.

Rep. Murray objected.

By a vote of 63 yeas and 18 nays, the amendments were adopted.

Rep. Powell moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Farrar	Perkins
Alario	Faucheux	Pierre
Alexander	Flavin	Pitre
Ansardi	Frith	Powell
Arnold	Fruge	Romero
Baldone	Gallot	Salter
Baylor	Glover	Scalise
Beard	Guillory	Schneider
Bowler	Heaton	Schwegmann
Broome	Hebert	Shaw
Bruce	Hopkins	Smith, G.—56th
Bruneau	Hunter	Smith, J.D.—50th
Capella	Hutter	Smith, J.H.—8th
Carter, R	Iles	Smith, J.R.—30th
Cazayoux	Jackson, M	Sneed
Crane	Johns	Stelly
Crowe	Katz	Strain
Curtis	Kenney	Thompson
Damico	LaFleur	Toomy
Daniel	Lancaster	Townsend
Dartez	LeBlanc	Triche
Devillier	Lucas	Tucker
Diez	McDonald	Waddell
Downer	McVea	Walker
Downs	Montgomery	Walsworth
Durand	Morrish	Winston
Erdey	Nevers	Wooton
Fannin	Odinet	
Total—83		

NAYS

Baudoin	Morrell	Swilling
Hammett	Murray	Wright
Hill	Pinac	
Jackson, L	Richmond	
Total—10		

ABSENT

Carter, K	Honey	Martiny
Doerge	Hudson	Peychaud
Futrell	Kennard	Quezaire
Green	Landrieu	Welch
Total—12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Suspension of the Rules

On motion of Rep. Bruneau, the rules were suspended in order to take up and consider House Bills and Joint Resolutions Returned from the Senate with Amendments at this time.

House Bills and Joint Resolutions

Returned from the Senate with Amendments

The following House Bills and Joint Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

HOUSE BILL NO. 176—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 37:1473(4) and (5), 1474(D), 1475(8), 1476(A), 1478, 1481(A)(2), and 1485(B), to enact R.S. 37:1483(12), 1485(C), and 1488(C), and to repeal R.S. 37:1485(A)(10) and (11), all relative to home inspectors; to change term of appointment of board members; to change certain licensure requirements; to provide for prohibited conduct; to provide for injunctive relief; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Reengrossed House Bill No. 176 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 2 after "37:1473(4) and (5)," delete "1474(D),"

AMENDMENT NO. 2

On page 1, line 10 after "37:1473(4) and (5)," delete "1474(D),"

AMENDMENT NO. 3

On page 2, delete lines 23 through 26 in their entirety.

AMENDMENT NO. 4

On page 3, delete lines 1 through 10 in their entirety.

AMENDMENT NO. 5

On page 5, line 8 after "provided" delete the remainder of the line and insert "by the home warranty company."

AMENDMENT NO. 6

On page 5, delete line 9 in its entirety.

AMENDMENT NO. 7

On page 5, line 13, after "applicant or" delete the remainder of the line, and on line 14, delete "public" and insert:

"any other person holding himself out as a home inspector"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Reengrossed House Bill No. 176 by Representative Bruneau

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 7 proposed by the Senate Committee on Commerce, Consumer Protection, and International Affairs and adopted by the Senate on May 29, 2003.

AMENDMENT NO. 2

On page 5, line 13, between "applicant" and "or" insert ", any other person holding himself out as a home inspector."

AMENDMENT NO. 3

On page 5, delete line 16 in its entirety.

AMENDMENT NO. 4

On page 5, line 17, change "(2)" to "(1)".

AMENDMENT NO. 5

On page 5, on line 20, change "(3)" to "(2)".

AMENDMENT NO. 6

On page 5, on line 23, change "(4)" to "(3)".

Rep. Bruneau moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pierre
Alario	Fruge	Pinac
Alexander	Futrell	Pitre
Arnold	Gallot	Powell
Baldone	Glover	Richmond
Baudoin	Guillory	Romero
Baylor	Hammett	Salter
Beard	Heaton	Scalise
Bowler	Hebert	Schneider
Bruce	Hill	Schwegmann
Bruneau	Honey	Shaw
Capella	Hopkins	Smith, G.—56th
Carter, R	Hudson	Smith, J.D.—50th
Cazayoux	Hutter	Smith, J.H.—8th
Crane	Iles	Smith, J.R.—30th
Crowe	Jackson, L	Sneed
Curtis	Johns	Stelly
Damico	Katz	Strain
Daniel	Kenney	Swilling
Dartez	Lancaster	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	McDonald	Triche
Downer	McVea	Tucker
Downs	Montgomery	Waddell
Durand	Morrell	Walker
Erdey	Morrish	Walsworth
Fannin	Murray	Winston
Farrar	Nevers	Wooton
Faucheux	Odinet	Wright
Flavin	Perkins	
Total—92		

NAYS

Total—0

ABSENT

Ansardi	Jackson, M	Peychaud
Broome	Kennard	Quezaire

Page 22 HOUSE

42nd Day's Proceedings - June 16, 2003

Carter, K	LaFleur	Welch
Green	Landrieu	
Hunter	Martiny	
Total—13		

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

HOUSE BILL NO. 184—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:263(B) and 416 and to enact R.S. 6:263(C), relative to bank stock; to provide for repurchase and redemption of a bank's own stock; to provide for loans on pledge of a bank's own stock; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 184 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 2 insert a comma after "416" and delete "and" before "to enact" and change "R.S. 6:263(C)," to "R.S. 6:245 and 263(C) and to repeal R.S. 6:261(C),"

AMENDMENT NO. 2

On page 1, line 8 change "R.S. 6:263(C) is" to "R.S. 6:245 and 263(C) are"

AMENDMENT NO. 3

On page 1, between lines 8 and 9 insert the following:

"§245. Changes in core business

A. Whenever a state-chartered financial institution, or holding company thereof, intends to materially change its core business as conducted at the time of its last safety and soundness examination or filing pursuant to this Section, whichever is later, it shall provide notice to the commissioner at least forty-five days prior to implementation.

B. If the commissioner does not raise an objection or defer his decision in writing, within forty-five days of receipt of the written notice of intent, the financial institution or holding company may proceed with its plans.

C. The commissioner shall have the authority to promulgate and/or establish rules, regulations, notifications, filing procedures, instructions, and fees as he deems necessary to carry out the provisions of this Section.

* * *

AMENDMENT NO. 4

On page 5, between lines 19 and 20 insert the following:

"Section 2. R.S. 6:261(C) is hereby repealed in its entirety."

AMENDMENT NO. 5

On page 5, line 20 change "Section 2." to "Section 3."

Rep. Pinac moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Peychaud
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Richmond
Baudoin	Heaton	Romero
Baylor	Hebert	Salter
Beard	Hill	Scalise
Bowler	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, R	Hutter	Smith, J.D.—50th
Cazayoux	Iles	Smith, J.H.—8th
Crane	Jackson, L	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Triche
Downer	McDonald	Tucker
Downs	McVea	Waddell
Durand	Montgomery	Walker
Erdey	Morrell	Walsworth
Fannin	Morrish	Welch
Farrar	Murray	Winston
Faucheux	Nevers	Wooton
Flavin	Odinot	Wright
Frith	Perkins	
Total—98		

NAYS

Total—0

ABSENT

Broome	Jackson, M	Quezaire
Carter, K	Kennard	
Green	Landrieu	
Total—7		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 224—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:242(D)(1) and 412(A)(1) and to enact Chapter 7-A of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:571 through 627, relative to Louisiana trust companies; to provide authority and powers of trust companies; to provide for names of trust companies; to provide for capital requirements; to provide for application and charter procedures; to provide for insurance coverage; to provide for private trust companies; to provide for conversions; to provide for

acquisition and ownership; to provide for investments; to provide for borrowing and pledge limits; to provide for criminal reporting; to provide for offices and branch offices; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Michot to Reengrossed House Bill No. 224 by Representative Pinac

AMENDMENT NO. 1

On page 5, line 3, change "6:217" to "6:213"

AMENDMENT NO. 2

On page 11, line 16, change the second "or" to "of"

Rep. Pinac moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Futrell	Pinac
Alexander	Gallot	Pitre
Ansardi	Glover	Powell
Arnold	Guillory	Quezaire
Baldone	Heaton	Richmond
Baudoin	Hebert	Romero
Baylor	Hill	Salter
Beard	Honey	Scalise
Bowler	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Swilling
Dartez	LeBlanc	Thompson
Devillier	Lucas	Toomy
Diez	Martiny	Townsend
Doerge	McDonald	Triche
Downer	McVea	Tucker
Downs	Montgomery	Waddell
Durand	Morrell	Walker
Erdey	Morrish	Walsworth
Fannin	Murray	Welch
Farrar	Nevers	Winston
Faucheux	Odinot	Wooton
Flavin	Perkins	Wright
Frith	Peychaud	
Frige	Pierre	
Total—97		

NAYS

Total—0

ABSENT

Mr. Speaker	Green	Kennard
Broome	Hammett	Landrieu
Carter, K	Jackson, M	
Total—8		

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

HOUSE BILL NO. 310—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1662.1, 1662.2, 1662.3(1), (8), and (17), 1662.4(B), 1662.6(A), (B)(6), and (C), 1662.7(A), (B), (C), (D)(introductory paragraph), (E), and (F), 1662.8(A) and (B)(introductory paragraph) and (3), 1662.9(C) and (E), 1662.11(A)(2), 1662.12(A)(2) and (5), 1662.13(A)(introductory paragraph) and (1)(b) and (B)(1), 1662.14(A)(2), (3)(introductory paragraph) and (b) and (5) and (C)(2) and (3), 1662.15(B)(2), and 1662.16 and to enact R.S. 40:1662.3(23) through (28), 1662.4(A)(3) and (4), (C), and (D), 1662.6(D), 1662.8(B)(2)(g) and (h), 1662.9(A)(9) through (11), 1662.10, 1662.13(A)(1)(c), and 1662.14(C)(6), relative to the state fire marshal; to provide for the licensure of locksmiths, locksmith shop technicians, locksmithing services companies, and locksmith apprentices; to provide for a purpose; to provide for definitions; to provide for the licensure of persons who engage in certain alarm contracting services; to provide for certain exceptions; to provide for application procedures; to provide for certain notifications; to provide for inspections; to prohibit certain activities; to provide for a provisional locksmith license; to provide relative to license renewal and license fees; to provide relative to the membership of the Alarm Services Advisory Board; to provide relative to offenses and penalties; to provide relative to local regulations; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 310 by Representative Pinac

AMENDMENT NO. 1

On page 13, delete line 2, and insert:

"a felony crime of violence specifically enumerated in R.S. 14:2(13) or a sex offense as defined in R.S. 15:541(14.1), with the exception of R.S. 14:92(7) and R.S. 14:80."

Rep. Pinac moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Pierre
Alario	Glover	Pinac

Page 24 HOUSE

42nd Day's Proceedings - June 16, 2003

Alexander	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Honey	Romero
Broome	Hopkins	Salter
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Carter, R	Hutter	Shaw
Cazayoux	Iles	Smith, G.—56th
Crane	Jackson, L	Smith, J.D.—50th
Crowe	Jackson, M	Smith, J.H.—8th
Curtis	Johns	Smith, J.R.—30th
Damico	Katz	Sneed
Daniel	Kenney	Stelly
Dartez	LaFleur	Strain
Devillier	Lancaster	Swilling
Diez	LeBlanc	Thompson
Doerge	Lucas	Toomy
Downer	Martiny	Townsend
Downs	McDonald	Triche
Durand	McVea	Tucker
Fannin	Montgomery	Waddell
Farrar	Morrell	Walker
Faucheux	Morrish	Welch
Flavin	Murray	Winston
Frith	Odinet	Wooton
Fruge	Perkins	Wright
Futrell	Peychaud	
Total—92		

NAYS

Bowler	Hill	Walsworth
Hebert	Nevers	
Total—5		

ABSENT

Ansardi	Carter, K	Landrieu
Baudoin	Erdey	Scalise
Capella	Kennard	
Total—8		

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

HOUSE BILL NO. 329—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:721 and 1271 and to repeal R.S. 6:1272, 1273, and 1274, relative to amendments and restatement of the articles of incorporation of certain financial institutions; to provide the same amendment and restatement procedures for state banks, savings and loan associations, and savings banks; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 329 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 2 change "R.S. 6:721" to "R.S. 6:352(7)(b), 721,"

AMENDMENT NO. 2

On page 1, line 8 change "R.S. 6:721" to "R.S. 6:352(7)(b), 721,"

AMENDMENT NO. 3

On page 1, between lines 9 and 10 insert the following:

"§352. Merger or consolidation procedure

Merger or consolidation may be effected only as a result of a joint agreement entered into, approved, and filed as follows:

* * *

(7)

* * *

(b) A copy of the certificate of merger or consolidation certified by the commissioner as well as the merger or consolidation agreement shall, within thirty days after issuance of the certificate, be filed for record with the ~~secretary of state and in the~~ office of the recorder of mortgages in the parish of the surviving or consolidated bank's domicile.

* * *

Rep. Pinac moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Peychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Triche
Downer	McDonald	Tucker
Downs	McVea	Waddell
Durand	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinet	Wright
Fruge	Perkins	

Total—98

NAYS

Total—0

ABSENT

Ansardi	Green	Quezaire
Carter, K	Kennard	
Erdey	Landrieu	
Total—7		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 522—

BY REPRESENTATIVES JANE SMITH, DAMICO, MONTGOMERY,
PEYCHAUD, WADDELL, AND WOOTON
AN ACT

To amend and reenact R.S. 30:2418(I) and to enact R.S. 30:2418(M)(3), relative to the disposal of waste tires; to provide for fees collected on new tires; to provide for criminal penalties for fraudulent violations of the Waste Tire Program; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 522 by Representative Jane Smith

AMENDMENT NO. 1

On page 1, at the end of line 2, insert "(4), and (5), (N), and (O),"

AMENDMENT NO. 2

On page 1, at the beginning of line 4, change "new" to "certain"

AMENDMENT NO. 3

On page 1, line 5, after "Program;" insert "to provide for exemptions; to provide for the basis of payment to processors; to provide for the collection of delinquent fees;"

AMENDMENT NO. 4

On page 1, line 8, after "2418(M)(3)" insert ", (4), and (5), (N), and (O)" and change "is" to "are"

AMENDMENT NO. 5

On page 1, line 11, after "fee" insert "on new tires" and after "authorized" insert "to be levied"

AMENDMENT NO. 6

On page 1, line 12, after "2413(A)(8) shall" delete "be levied on all new tires and shall"

AMENDMENT NO. 7

On page 1, line 14, after "off-road tire." insert "The secretary may provide for exemptions from the fees levied on the sale of tires pursuant to this Chapter in the regulations provided for in Subsection H of this Section, including but not limited to the sale of certain tires which are

de minimis in nature, including but not limited to lawn mower tires, bicycle tires, and golf cart tires."

AMENDMENT NO. 8

On page 2, delete lines 6 and 7 in its entirety and insert the following:

"(3) A waste tire processor shall not request or receive payments from the Waste Tire Management Fund for any waste tires unless the waste tires are generated and processed in Louisiana, the generator and transporter have signed a statement swearing under penalty of law that the tires were not generated outside the state of Louisiana and are Louisiana-eligible tires, and the processor has signed a statement swearing under penalty of law that he has no knowledge contrary to the representations of the generator and transporter. The department shall provide a standard form to be used by generators, transporters, and processors to comply with this Paragraph.

(4) In addition to any other penalties provided for in this Subsection, any person convicted of violating Paragraph (1) of this Subsection may be"

AMENDMENT NO. 9

On page 2, line 11, after "program" delete the remainder of the line and delete line 12, and insert the following:

"may be ordered to be surrendered. Participants shall include collectors, generators, processors, and transporters. Any such person convicted may be forever barred from employment with or from contracting with any license holder under this Section. Any sentence imposed which includes the suspension or barring under this Paragraph shall be suspended until after rendition of a final conviction from which no appeal may be taken.

(5) Nothing in this Subsection shall preclude the department from promulgating rules and regulations providing for the revocation of licenses or registrations through the Administrative Procedure Act.

N. The secretary shall promulgate rules to make payments to processors on the basis of weight or tire count at the option of the processor.

O. (1) Failure by any person to timely remit fees collected that are imposed in this Section shall cause the fees to become immediately delinquent, and the secretary has the authority, on motion in a court of competent jurisdiction, to take a rule to show cause in not less than two nor more than ten days, exclusive of holidays, why such person should not be ordered to cease from further pursuit of business. This rule may be tried in chambers and shall always be tried by preference. If the rule is made absolute, the order rendered thereon shall be considered a judgment in favor of the state, prohibiting the person from the further pursuit of said business until he has paid the delinquent fees and any fines, interest, penalties, and other costs in connection with the fees, and every violation of the injunction shall be considered as a contempt of court and punished according to law.

(2) The provisions of Paragraph (1) of this Subsection shall not apply if the person has entered into an installment agreement for the payment of the delinquent fees with the department and is in compliance with the terms of the agreement.

(3) Proceeds from the collection of the fees and any fines, penalties, interest, and costs collected in connection with the fees shall be deposited into the Waste Tire Management Fund.

(4) The collection procedure provided for in this Subsection shall be in addition to any other collection procedure available to the department."

Page 26 HOUSE

42nd Day's Proceedings - June 16, 2003

Rep. Jane Smith moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinet
Alario	Futrell	Perkins
Alexander	Gallot	Pierre
Arnold	Glover	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, R	Hutter	Smith, G.—56th
Cazayoux	Iles	Smith, J.D.—50th
Crane	Jackson, L	Smith, J.H.—8th
Crowe	Jackson, M	Smith, J.R.—30th
Curtis	Johns	Sneed
Damico	Katz	Strain
Daniel	Kenney	Swilling
Dartez	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Winston
Fauchoux	Morrish	Wooton
Flavin	Murray	Wright
Frith	Nevers	
Total—95		

NAYS

Total—0

ABSENT

Ansardi	Kennard	Stelly
Carter, K	Landrieu	Welch
Erdey	Peychaud	
Green	Quezaire	
Total—10		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 982—

BY REPRESENTATIVES WELCH, L. JACKSON, AND M. JACKSON
AN ACT

To amend and reenact R.S. 37:2401(1)(b) and 2410(A) and to enact R.S. 37:2410(D), (E), (F), and (G) and 2422, relative to the practice of physical therapy; to provide for referrals from chiropractors; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator B. Jones to Reengrossed House Bill No. 982 by Representative Welch (Duplicate of Senate Bill No. 793)

AMENDMENT NO. 1

On page 3, line 14, immediately after "plan of care" delete the remainder of the line in its entirety.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B. Jones to Reengrossed House Bill No. 982 by Representative Welch

AMENDMENT NO. 1

On page 1, lines 3 and 8, delete the comma after "37:2010(D)" and insert "and" and after "(E)" delete the comma and delete "(F), and (G)"

AMENDMENT NO. 2

On page 3, delete lines 10 through 15 and insert the following:

"(5)(a) To an individual for a previously diagnosed condition or conditions for which physical therapy services are appropriate after informing the health care provider rendering the diagnosis. The diagnosis shall have been made within the previous ninety days. The physical therapist shall provide the health care provider who rendered such diagnosis with a plan of care for physical therapy services within the first fifteen days of physical therapy intervention.

(b) Nothing in this Chapter shall be construed to create liability of any kind for the health care provider rendering the diagnosis pursuant to this Subsection for a condition, illness, or injury that manifested itself after such diagnosis or for any alleged damages as a result of physical therapy services performed without a prescription or referral from a person licensed to practice medicine, surgery, dentistry, podiatry, or chiropractic."

AMENDMENT NO. 3

On page 3, delete lines 23 through 26

AMENDMENT NO. 4

On page 4, delete lines 1 through 8

AMENDMENT NO. 5

On page 4 line 12 delete "of" and insert "or"

Rep. Welch moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter

Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, R	Hutter	Smith, J.D.—50th
Cazayoux	Iles	Smith, J.H.—8th
Crane	Jackson, L	Smith, J.R.—30th
Crowe	Jackson, M	Sneed
Curtis	Johns	Stelly
Damico	Katz	Strain
Daniel	Kenney	Swilling
Dartez	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinot	
Total—101		

NAYS

Total—0

ABSENT

Carter, K	Landrieu
Kennard	Psychaud
Total—4	

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1554—

BY REPRESENTATIVES MURRAY, DEWITT, AND TUCKER
AN ACT

To amend and reenact R.S. 23:1514(A)(1), (B), and (C), 1553(B)(7)(a) (introductory paragraph), (8), (9)(a)(introductory paragraph), (10), and (11)(a)(introductory paragraph) and to repeal R.S. 23:1474(J), relative to the workforce development training account; to provide for individual, standardized training of incumbent workers; to provide for eligibility requirements for businesses; to establish procedure for requests for training and reimbursements; to provide to selection of training provider; to allow the use of funds to cover unemployment insurance functions; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Reengrossed House Bill No. 1554 by Representatives Murray, Dewitt, and Tucker

AMENDMENT NO. 1

On page 1, line 3, after "(introductory paragraph)," delete "(8)," and "(10)."

AMENDMENT NO. 2

On page 1, line 4, after "(J)," insert "1535(D) and (E)."

AMENDMENT NO. 3

On page 1, line 10, after "functions;" insert "to repeal new employer first experience rates;"

AMENDMENT NO. 4

On page 1, line 13, after "(introductory paragraph)," delete "(8)."

AMENDMENT NO. 5

On page 1, line 14, delete "(10)."

AMENDMENT NO. 6

On page 2, line 15, after "than" delete "two" and insert "three"

AMENDMENT NO. 7

On page 3, line 15, before "workers" insert "incumbent"

AMENDMENT NO. 8

On page 5, delete lines 8 through 15

AMENDMENT NO. 9

On page 5, delete lines 23 through 26

AMENDMENT NO. 10

On page 6, delete lines 1 through 4

AMENDMENT NO. 11

On page 6, line 12, after "(J)" delete "is" and insert ", 1535 (D) and (E) are"

AMENDMENT NO. 12

On page 6, line 12, after "in" delete "its" and insert "their"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 1554 by Representative Murray

AMENDMENT NO. 1

Delete Amendments Nos. 1, 2, 3, 4, 5, 7, 8, 9, 10, 11 and 12 of the set of committee amendments proposed by the Senate Committee on Labor & Industrial Relations and adopted by the Senate on May 27, 2003.

AMENDMENT NO. 2

On page 2, line 11, after "liability," insert "This Program shall be known as the Incumbent Worker Training Program."

AMENDMENT NO. 3

On page 2, at the end of line 18, before "The" insert "In no event shall a single grant award exceed ten percent of the funds available to the program during a program year."

AMENDMENT NO. 4

On page 5, line 9, after "Account" insert "to fund the Incumbent Worker Training Program"

Page 28 HOUSE

42nd Day's Proceedings - June 16, 2003

AMENDMENT NO. 5

On page 5, delete lines 14 and 15 and insert in lieu thereof "million dollars. However, for such amounts to be credited to the Workforce Development Training Account to continue to fund the Incumbent Worker Training Program following calendar year 2007, the legislature must expressly renew the program prior to calendar year 2008. In the event the Incumbent Worker Training Program is not renewed by the legislature, in any calendar year following 2007, such amounts shall continue to be paid as a social charge for purposes of assessment, and once collected, shall be deposited and applied to each individual employer's experience-rating record as a contribution."

AMENDMENT NO. 6

On page 5, line 24, after "Account" insert "to fund the Incumbent Worker Training Program"

AMENDMENT NO. 7

On page 6, delete lines 3 and 4 and insert in lieu thereof "for such amounts credited to the Workforce Development Training Account to continue to fund the Incumbent Worker Training Program following calendar year 2007, the legislature must expressly renew the program prior to calendar year 2008. In the event the Incumbent Worker Training Program is not renewed by the legislature, in any calendar year following 2007, such amounts shall continue to be paid as a social charge for purposes of assessment, and once collected, shall be deposited and applied to each individual employer's experience-rating record as a contribution."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C Jones to Reengrossed House Bill No. 1554 by Representative Murray

AMENDMENT NO. 1

On page 3, between lines 24 and 25, insert the following:

"(7) Qualified businesses currently receiving training for their employees may, upon the expiration of contracts, apply for new training grants for training of new employees, previously untrained employees, or for additional training of previously trained employees."

AMENDMENT NO. 2

On page 4, at the end of line 7, insert the following:

"Training provided must meet the standards of the applicant and it must meet, at the minimum, the standard of OSHA, when applicable."

Rep. Murray moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinet
Alario	Fruge	Perkins
Alexander	Futrell	Pierre
Ansardi	Gallot	Pinac
Arnold	Glover	Pitre
Baldone	Guillory	Richmond
Baudoin	Hammett	Romero
Baylor	Heaton	Salter
Beard	Hebert	Scalise

Bowler	Hill	Schneider
Broome	Honey	Schwegmann
Bruce	Hopkins	Shaw
Bruneau	Hudson	Smith, G.—56th
Capella	Hunter	Smith, J.D.—50th
Carter, R	Hutter	Smith, J.H.—8th
Cazayoux	Iles	Smith, J.R.—30th
Crane	Jackson, L	Sneed
Crowe	Jackson, M	Stelly
Curtis	Johns	Strain
Damico	Katz	Swilling
Daniel	Kenney	Thompson
Dartez	LaFleur	Toomy
Devillier	Lancaster	Townsend
Diez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downer	Martiny	Waddell
Downs	McDonald	Walker
Durand	McVea	Walsworth
Erdey	Montgomery	Welch
Fannin	Morrell	Winston
Farrar	Morrish	Wooton
Faucheux	Murray	Wright
Flavin	Nevers	

Total—98

NAYS

Total—0

ABSENT

Carter, K	Landrieu	Quezaire
Green	Psychaud	
Kennard	Powell	
Total—7		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 165—

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 56:332(K), relative to crab traps; to change the months within which the required escape rings must be open to allow crabs to escape; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill 165 by Representative Powell

AMENDMENT NO. 1

On page 1, line 2, after "R.S." delete the remainder of the line and insert in lieu thereof the following:

"56:326(F)(1) and 332(K), relative to crabs and crab traps; to authorize the department to check boiled crabs; to change"

AMENDMENT NO. 2

On page 1, line 6, change "56:332(K) is" to "56:326(F)(1) and 332(K) are"

AMENDMENT NO. 3

On page 1, between lines 7 and 8 insert the following:

"§326. Size and possession limits; commercial fish

* * *

F. (1) Notwithstanding any provision of law to the contrary, a wholesale or retail dealer and a commercial fisherman may be subject to the penalties provided by law for the possession of undersized crabs. If the wholesale or retail dealer can provide to wildlife and fisheries agents at the time of discovery the identity of the commercial fisherman who harvested the undersized crabs and subsequently sold such crabs to the wholesale or retail dealer, the dealer shall not be subject to the penalties. The department may check boiled and unboiled crabs for violations of the undersized crab provisions of this Section.

* * *"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Gautreaux and Dupre to Engrossed House Bill No. 165 by Representative Powell

AMENDMENT NO. 1

Delete committee amendments proposed by the Senate Committee on Natural Resources and adopted by the Senate on June 1, 2003.

Rep. Powell moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pierre
Alario	Fruge	Pinac
Alexander	Futrell	Pitre
Ansardi	Gallot	Powell
Arnold	Guillory	Quezaire
Baldone	Heaton	Richmond
Baudoin	Hebert	Romero
Baylor	Hill	Salter
Beard	Honey	Scalise
Bowler	Hopkins	Schneider
Broome	Hudson	Schwegmann
Bruce	Hunter	Shaw
Bruneau	Hutter	Smith, G.—56th
Capella	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	LeBlanc	Toomy
Devillier	Lucas	Townsend
Diez	Martiny	Triche
Doerge	McDonald	Tucker
Downer	McVea	Waddell
Downs	Montgomery	Walker
Durand	Morrell	Walsworth
Erdey	Morrish	Winston
Fannin	Murray	Wooton
Farrar	Nevers	Wright
Faucheux	Odinet	

Flavin
Total—97

Perkins

NAYS

Total—0

ABSENT

Carter, K
Glover
Green
Total—8

Hammett
Kennard
Landrieu

Psychaud
Welch

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 170—

BY REPRESENTATIVE POWELL

AN ACT

To enact R.S. 56:332(M), relative to taking of crabs; to allow a certain amount of finfish by-catch caught in crab traps to be kept for personal consumption; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 170 by Representative Powell

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 56:8(28) and to"

AMENDMENT NO. 2

On page 1, line 2, after "crabs;" insert "to provide relative to the definition of a crab trap;"

AMENDMENT NO. 3

On page 1, line 6, between "Section 1." and "R.S. 56:332(M)" insert "R.S. 56:8(28) is hereby amended and reenacted and"

AMENDMENT NO. 4

On page 1, between lines 6 and 7, insert the following:

"§8. Definitions

For purposes of this Chapter, the following words and phrases have the meaning ascribed to them in this Section, unless the context clearly shows a different meaning:

* * *

(28) "Crab trap" means a cube-shaped device which is constructed of wire and is no larger than thirty inches on any side with entrance funnels extending no further than seven inches into the inside of the trap and either a bait box or materials providing cover or shelter for peeler crabs, which is used for the sole purpose of taking crabs or stone crabs. This device shall be fished in a stationary, passive manner with the openings to the entrance funnels such that the horizontal diameter of each opening on the vertical wall of the trap is at least one and one-half times the vertical diameter of the opening.

* * *"

Page 30 HOUSE

42nd Day's Proceedings - June 16, 2003

AMENDMENT NO. 5

On page 1, at the end of line 12, delete "fish" and insert "finfish per vessel per day"

AMENDMENT NO. 6

On page 1, line 13, between "However," and "no red" insert "no freshwater game fish."

AMENDMENT NO. 7

On page 1, line 13, after "drum" insert a comma ","

Rep. Powell moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinet
Alario	Fruge	Perkins
Alexander	Futrell	Pierre
Ansardi	Gallot	Pinac
Arnold	Glover	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, R	Hutter	Smith, J.D.—50th
Cazayoux	Iles	Smith, J.H.—8th
Crane	Jackson, L	Smith, J.R.—30th
Crowe	Jackson, M	Sneed
Curtis	Johns	Stelly
Damico	Katz	Swilling
Daniel	Kenney	Thompson
Dartez	LaFleur	Toomy
Devillier	Lancaster	Townsend
Diez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downer	Martiny	Waddell
Downs	McDonald	Walker
Durand	McVea	Walsworth
Erdey	Montgomery	Welch
Fannin	Morrell	Winston
Farrar	Morrish	Wooton
Fauchoux	Murray	Wright
Flavin	Nevers	
Total—98		

NAYS

Total—0

ABSENT

Carter, K	Landrieu	Strain
Green	Peychaud	
Kennard	Quezaire	
Total—7		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 330—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:3515(D), relative to consumer lenders; to provide for exceptions; to provide relative to the sale of certain property by consumer lenders; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 330 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 2, after "(D)" insert "and to enact R.S. 9:3515(F)"

AMENDMENT NO. 2

On page 1, at the end of line 3, insert "or services"

AMENDMENT NO. 3

On page 1, line 6, after "reenacted" insert "and R.S. 9:3515(F) is hereby enacted"

AMENDMENT NO. 4

On page 1, delete lines 11 through 13, and insert:

"D. A sale of ~~items~~ property seized or legally"

AMENDMENT NO. 5

On page 1, after line 15 insert the following:

"F. The commissioner may issue a permit to persons licensed and regulated by the Office of Financial Institutions under the provisions of R.S. 37:1781 through 1808 to conduct the sale of goods and services at a location where consumer loans are made pursuant to the provisions of this Chapter. The commissioner shall have the authority to deny the permit or suspend and/or terminate the permit for violations of this Chapter. The commissioner may adopt rules to implement the provisions of this Subsection. Such rules shall require the commissioner to grant or deny the permit within thirty days from the date the application for a permit is filed with the Office of Financial Institutions."

Rep. Pinac moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Richmond

Baudoin	Heaton	Romero
Baylor	Hebert	Salter
Beard	Hill	Scalise
Bowler	Honey	Schneider
Broome	Hopkins	Schwegmann
Bruce	Hudson	Shaw
Bruneau	Hunter	Smith, G.—56th
Capella	Hutter	Smith, J.D.—50th
Carter, R	Iles	Smith, J.H.—8th
Cazayoux	Jackson, L	Smith, J.R.—30th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kenney	Swilling
Dartez	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinet	
Total—98		

NAYS

Total—0

ABSENT

Carter, K	Kennard	Quezaire
Daniel	Landrieu	
Green	Psychaud	
Total—7		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 381—

BY REPRESENTATIVE HOPKINS

AN ACT

To authorize and provide for the state, through the division of administration, to transfer a certain tract in Caddo Parish to the adjacent landowner; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 381 by Representative Hopkins

AMENDMENT NO. 1

On page 1, line 2, between "for the" and "state" insert the following:

"for the use or lease of certain properties belonging to the"

AMENDMENT NO. 2

On page 1, line 2, after "administration" add a semicolon ";"

AMENDMENT NO. 3

On page 1, line 3, change "transfer" to "authorize the lease of"

AMENDMENT NO. 4

On page 1, line 3, after "landowner:" add the following:

"to authorize the commissioner of administration to execute cooperative endeavor with the Recreation and Park Commission for the Parish of East Baton Rouge for the use of certain state land in said parish;"

AMENDMENT NO. 5

On page 1, delete line 8 in its entirety and insert in lieu thereof the following:

"lease any interest"

AMENDMENT NO. 6

On page 1, line 9, delete "rights,"

AMENDMENT NO. 7

On page 2, line 13, delete "covenants,"

AMENDMENT NO. 8

On page 2, delete lines 15 and 16 in their entirety and insert in lieu thereof the following:

"to properly effectuate any lease to the property described in Section 1 of this Act,"

AMENDMENT NO. 9

On page 2, line 19 after "LLC" change the comma "," to a period "." and delete the remainder of the line and delete line 20 in its entirety.

AMENDMENT NO. 10

On page 2 between lines 20 and 21 insert the following:

"Section 3. The commissioner of administration, notwithstanding any other provision of law to the contrary, is hereby authorized and empowered to enter into a cooperative endeavor with the Recreation and Park Commission for the Parish of East Baton Rouge providing for use of the following property:

Portions of the Greenwell Springs Tract situated in the parish of East Baton Rouge, State of Louisiana, being the eastern part of Section 49 and that part of Section 48, comprised within Letters "A", "M", "C", "E" in Township 5, South Range 3 East Greenburg District, Louisiana, containing one hundred sixty-one and 88/100 acres east of Greenwell Springs Road.

Section 4. The commissioner of administration, on behalf of the state of Louisiana, is hereby authorized to enter into a cooperative endeavor relative to the property described in Section 3 herein and as more specifically described in any such agreements entered into and documents executed by and between the commissioner of administration and the Recreation and Park Commission for the Parish of East Baton Rouge."

AMENDMENT NO. 11

On page 2, line 21 change "Section 3" to "Section 5"

LEGISLATIVE BUREAU AMENDMENTS

Page 32 HOUSE

42nd Day's Proceedings - June 16, 2003

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 381 by Representative Hopkins

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Natural Resources, on line 3, delete "for the"

AMENDMENT NO. 2

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Natural Resources, on line 5, change "add a semicolon ";"" to "change the comma "," to a semicolon ";""

AMENDMENT NO. 3

In Senate Committee Amendment No. 4 proposed by the Senate Committee on Natural Resources, on line 9, change ""landowner;"" to ""landowner;""

AMENDMENT NO. 4

In Senate Committee Amendment No. 4 proposed by the Senate Committee on Natural Resources, on line 10, following "execute" and before "cooperative" insert "a"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Engrossed House Bill No. 381 by Representative Hopkins

AMENDMENT NO. 1

Delete Amendment No. 2 proposed by the Senate Committee on Natural Resources and adopted by the Senate on June 2, 2003

AMENDMENT NO. 2

In Amendment No. 4 proposed by the Senate Committee on Natural Resources and adopted by the Senate on June 2, 2003, on page 1, line 10, after "administration" insert "and the secretary of the Department of Health and Hospitals"

AMENDMENT NO. 3

In Amendment No. 10 proposed by the Senate Committee on Natural Resources and adopted by the Senate on June 2, 2003, on page 2, line 5, after "administration" insert "and the secretary of the Department of Health and Hospitals" and on line 6, change "is hereby" to "are hereby"

AMENDMENT NO. 4

In Amendment No. 10 proposed by the Senate Committee on Natural Resources and adopted by the Senate on June 2, 2003, on page 2, line 16, after "administration" insert "and the secretary of the Department of Health and Hospitals" and on line 17, change "is hereby" to "are hereby"

AMENDMENT NO. 5

On page 1, line 2, after "administration" delete the "," and insert "and the Department of Health and Hospitals;"

AMENDMENT NO. 6

On page 1, line 6, after "administration" insert "and the secretary of the Department of Health and Hospitals"

AMENDMENT NO. 7

On page 1, line 7, after "contrary," change "is" to "are"

AMENDMENT NO. 8

On page 2, line 12, after "administration" insert "and the secretary of the Department of Health and Hospitals"

AMENDMENT NO. 9

On page 2, line 13, after "Louisiana," change "is" to "are"

AMENDMENT NO. 10

On page 2, line 18, after "administration" insert "and the secretary of the Department of Health and Hospitals"

Rep. Hopkins moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinot
Alario	Fruge	Perkins
Alexander	Futrell	Peychaud
Ansardi	Gallot	Pierre
Arnold	Glover	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, R	Hutter	Smith, J.D.—50th
Cazayoux	Iles	Smith, J.H.—8th
Crane	Jackson, L	Smith, J.R.—30th
Crowe	Jackson, M	Sneed
Curtis	Johns	Stelly
Damico	Katz	Strain
Daniel	Kenney	Swilling
Dartez	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Total—99		

NAYS

Total—0

ABSENT

Carter, K	Kennard	Quezaire
Green	Landrieu	Schwegmann
Total—6		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 390—
BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:414.2(A)(1)(b)(i), relative to commercial motor vehicle drivers; to provide relative to disqualification of commercial driving privileges; to require a disqualification of commercial driving privileges to become part of an individual's operating record; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 390 by Representative Diez

AMENDMENT NO. 1

On page 2, line 4, after "Procedure," delete the remainder of the line, and insert:

"unless the conviction is set aside or dismissed because of an appeal of the conviction. The"

Rep. Diez moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Pierre
Alario	Glover	Pinac
Alexander	Guillory	Pitre
Ansardi	Hammett	Powell
Arnold	Heaton	Richmond
Baldone	Hebert	Romero
Baudoin	Hill	Salter
Baylor	Honey	Scalise
Beard	Hopkins	Schneider
Bowler	Hudson	Schwegmann
Broome	Hunter	Shaw
Bruce	Hutter	Smith, G.—56th
Bruneau	Iles	Smith, J.D.—50th
Capella	Jackson, L	Smith, J.H.—8th
Carter, R	Jackson, M	Smith, J.R.—30th
Cazayoux	Johns	Sneed
Crane	Katz	Stelly
Crowe	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	LeBlanc	Toomy
Devillier	Lucas	Townsend
Doerge	Martiny	Triche
Downer	McDonald	Tucker
Downs	McVea	Waddell
Durand	Montgomery	Walker
Erdey	Morrell	Walsworth
Fannin	Morrish	Welch
Farrar	Murray	Winston
Faucheux	Nevers	Wooton

Flavin
Frith
Futrell
Total—97

Odinet
Perkins
Peychaud

Wright

NAYS

Total—0

ABSENT

Carter, K
Curtis
Diez
Total—8

Fruge
Green
Kennard

Landrieu
Quezaire

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 514—
BY REPRESENTATIVE PINAC

AN ACT

To repeal R.S. 9:3554.2(B) and Part XVIII of Chapter 2 of Code Title XII of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:3576.1 through 3576.24, relative to collection agencies; to provide relative to the Office of Financial Institutions; to repeal licensing and regulatory provisions regarding collection agencies.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 514 by Representative Pinac

AMENDMENT NO. 1

On page 1, lines 2 and 9, following "XII of" insert "Code Book III of"

Rep. Pinac moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Beard	Hill	Romero
Bowler	Honey	Salter
Broome	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kenney	Stelly

Page 34 HOUSE

42nd Day's Proceedings - June 16, 2003

Daniel	LaFleur	Strain
Dartez	Lancaster	Swilling
Diez	LeBlanc	Thompson
Doerge	Lucas	Townsend
Downer	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinet	Wright

Total—99

NAYS

Total—0

ABSENT

Carter, K	Fruge	Landrieu
Devillier	Kennard	Toomy

Total—6

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 684—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 45:844.12(4)(f), relative to telephones; to provide relative to telephonic solicitations; to provide for definitions; to provide for exceptions; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed House Bill No. 684 by Representative Pinac

AMENDMENT NO. 1

On page 2, line 12, after "issue" insert "provided that the callers identify themselves"

Rep. Pinac moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinet
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter

Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, R	Hutter	Smith, G.—56th
Cazayoux	Iles	Smith, J.D.—50th
Crane	Jackson, L	Smith, J.H.—8th
Crowe	Jackson, M	Smith, J.R.—30th
Curtis	Johns	Sneed
Damico	Katz	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	LeBlanc	Toomy
Doerge	Lucas	Townsend
Downer	Martiny	Triche
Downs	McDonald	Waddell
Erdey	McVea	Walker
Fannin	Montgomery	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright

Total—99

NAYS

Total—0

ABSENT

Carter, K	Kennard	Scalise
Durand	Landrieu	Tucker

Total—6

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 689—

BY REPRESENTATIVES FARRAR AND DEWITT

AN ACT

To enact Chapter 5-I of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.61 through 380.66, and R.S. 36:744(T) and 801.13, to create the Tioga Heritage Park and Museum; to provide for a museum governing board including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Farrar, the bill was returned to the calendar.

HOUSE BILL NO. 767—

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 22:15(B)(1)(c), (e), (g), (o), (p), (q), and (r) and (2)(a)(iv), (vi), (vii), and (xvi) and (b)(vii) and (x), and (c)(vii), (x), and (xi), to enact R.S. 22:15(B)(1)(t) and (2)(a)(xvii), (b)(xi) and (xii), and (c)(xii) and (xiii), and to repeal R.S. 22:15(B)(1)(b) and (2)(a)(iii), relative to the Louisiana Property and Casualty Insurance Commission; to provide for membership; to provide for designees; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 767 by Representative Bowler

AMENDMENT NO. 1

On page 1, line 4, after "R.S. 22:15(B)(1)(t)" insert "and (u)"

AMENDMENT NO. 2

On page 1, line 4, after "(2)(a)(xvii)" insert "and (xviii)"

AMENDMENT NO. 3

On page 1, line 12, after "R.S. 22:15(B)(1)(t)" delete the remainder of the line and insert the following:

"and (u) and (2)(a)(xvii) and (xviii)"

AMENDMENT NO. 4

On page 2, line 1, after "(c)" add the following:

"The assistant secretary of the Louisiana Department of Public Safety and Corrections, office of motor vehicles, or his designee."

AMENDMENT NO. 5

On page 2, delete lines 3 through 7

AMENDMENT NO. 6

On page 3, between lines 6 and 7, insert the following:

"(u) A representative of law enforcement or his designee, selected jointly by the superintendent of state police, the secretary of the Department of Public Safety and Corrections, the president of the Louisiana Association of Chiefs of Police, and the president of the Louisiana Sheriff's Association."

AMENDMENT NO. 7

On page 3, line 16, after (iv), add the following:

"The assistant secretary of the Louisiana Department of Public Safety and Corrections, office of motor vehicles, or his designee."

AMENDMENT NO. 8

On page 2, delete line 18

AMENDMENT NO. 9

On page 4, between lines 4 and 5, add the following:

"(xviii) The representative of law enforcement or his designee."

Rep. Bowler moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Pierre
Alario	Glover	Pinac
Alexander	Guillory	Pitre

Ansardi
Arnold
Baldone
Baudoin
Baylor
Beard
Bowler
Broome
Bruneau
Capella
Carter, R
Cazayoux
Crane
Crowe
Curtis
Damico
Daniel
Dartez
Devillier
Diez
Downer
Downs
Durand
Erdey
Fannin
Farrar
Faucheux
Flavin
Frith
Futrell

Total—97

Hammett
Heaton
Hebert
Hill
Honey
Hopkins
Hudson
Hunter
Hutter
Iles
Jackson, L
Jackson, M
Johns
Katz
Kenney
LaFleur
Lancaster
LeBlanc
Lucas
Martiny
McDonald
McVea
Montgomery
Morrell
Morrish
Murray
Nevers
Odinet
Perkins
Peychaud

NAYS

Total—0

ABSENT

Bruce
Carter, K
Doerge
Total—8

Fruge
Green
Kennard

Landrieu
Shaw

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 918—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To enact Part VI of Chapter 2 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:91 through 94, relative to birth certificates; to provide for the issuance of certificates of stillbirth; to provide for delayed certificates of stillbirth; to provide for certified copies and fees; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 918 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 3, after "through" change "94" to "92"

AMENDMENT NO. 2

Page 36 HOUSE

42nd Day's Proceedings - June 16, 2003

On page 1, line 9, after "through" change "94" to "92"

AMENDMENT NO. 3

On page 2, line 3, after "certificate" delete "may" and delete line 4 and insert "shall be provided by the Vital Records Registry upon the request of the parent or parents of a stillborn child."

AMENDMENT NO. 4

On page 2, delete lines 5 through 7 and insert "B. The certificate of stillbirth shall be identified as a"

AMENDMENT NO. 5

On page 2, delete lines 18 through 26 and delete page 3 and insert:

"C. One copy of the certificate of birth resulting in stillbirth shall be provided by the Vital Records Registry at no cost upon request. Additional copies shall be subject to the same fees as a certificate of live birth as provided in R.S. 40:40."

Rep. Schneider moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Psychaud
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Richmond
Baudoin	Heaton	Romero
Baylor	Hebert	Salter
Beard	Hill	Scalise
Bowler	Honey	Schneider
Broome	Hopkins	Schwegmann
Bruce	Hudson	Shaw
Bruneau	Hunter	Smith, G.—56th
Capella	Hutter	Smith, J.D.—50th
Carter, R	Iles	Smith, J.H.—8th
Cazayoux	Jackson, L	Smith, J.R.—30th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Doerge	Martiny	Tucker
Downer	McDonald	Waddell
Downs	McVea	Walker
Durand	Montgomery	Walsworth
Erdey	Morrell	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Nevers	Wright
Flavin	Odinot	
Frith	Perkins	
Total—100		

NAYS

Total—0

ABSENT

Carter, K	Kennard	Quezaire
Green	Landrieu	
Total—5		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 949—

BY REPRESENTATIVE BRUCE

AN ACT

To enact Chapter 5-I of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.61 through 380.66, and R.S. 36:744(T) and 801.13, to create the Mansfield Women's College Museum in the Department of State; to provide relative to the governing authority of the museum including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 949 by Representative Bruce

AMENDMENT NO. 1

On page 2, line 25, after "appointed by the" insert "secretary of state from a list of nominees provided by the"

AMENDMENT NO. 2

On page 9, line 14, after "Museum." delete the remainder of the line

AMENDMENT NO. 3

On page 9, delete lines 15 through 18 in their entirety

AMENDMENT NO. 4

On page 9, line 19, delete "laws, rules, and regulations."

AMENDMENT NO. 5

On page 10, line 15, after "without the" delete "unanimous" and after "approval" delete "of all of the members"

Rep. Bruce moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Odinot
Alario	Frith	Perkins
Alexander	Fruge	Psychaud

Ansardi	Futrell	Pierre
Arnold	Gallot	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, R	Hutter	Smith, J.D.—50th
Cazayoux	Iles	Smith, J.H.—8th
Crane	Jackson, L	Smith, J.R.—30th
Crowe	Jackson, M	Sneed
Curtis	Johns	Stelly
Damico	Katz	Swilling
Daniel	Kenney	Thompson
Dartez	LaFleur	Toomy
Devillier	Lancaster	Townsend
Diez	LeBlanc	Triche
Doerge	Martiny	Tucker
Downer	McDonald	Waddell
Downs	McVea	Walker
Durand	Montgomery	Walsworth
Erdey	Morrell	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Nevers	Wright
Total—96		

NAYS

Total—0

ABSENT

Carter, K	Kennard	Quezaire
Glover	Landrieu	Schneider
Green	Lucas	Strain
Total—9		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 953—

BY REPRESENTATIVE WINSTON

AN ACT

To enact Children's Code Article 1461.1, relative to mental health; to provide for communication with a parent or guardian of a confined minor child; to specify the type of information to be given by the confining facility; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Reengrossed House Bill No. 953 by Representative Winston

AMENDMENT NO. 1

On page 2, at the end of line 17, insert the following:

"Additionally, any such detailed written notice shall also be transmitted within forty-eight hours to the local protection and advocacy system established under 42 U.S.C.A. §15041 et seq."

Rep. Winston moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinot
Alario	Fruge	Perkins
Ansardi	Futrell	Pierre
Arnold	Gallot	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, R	Hutter	Smith, G.—56th
Cazayoux	Iles	Smith, J.D.—50th
Crane	Jackson, L	Smith, J.H.—8th
Crowe	Jackson, M	Smith, J.R.—30th
Curtis	Johns	Sneed
Damico	Katz	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	LeBlanc	Toomy
Doerge	Lucas	Townsend
Downer	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Total—96		

NAYS

Total—0

ABSENT

Alexander	Green	Peychaud
Carter, K	Kennard	Quezaire
Glover	Landrieu	Welch
Total—9		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 954—

BY REPRESENTATIVES WINSTON, SCHWEGMANN, STRAIN, ERDEY, MCVEA, NEVERS, AND POWELL

AN ACT

To amend and reenact R.S. 39:1533(A) and to enact Part IX-A of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:382.1 and 771(E) and Chapter 16 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:851 through 856, and R.S. 36:254(H) and 258(H), relative to human services; to provide a statewide framework to govern the delivery of mental health, developmental disabilities, and addictive disorders services funded by appropriations from the state; to create the Florida Parishes Human Services Authority; to provide for powers, duties, and functions of

the authority; to create a governing board and provide for membership, powers, duties, and functions; to provide for the transfer of certain powers, duties, and functions from the Department of Health and Hospitals to the authority; to provide for transfer of employees; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 954 by Representative Winston

AMENDMENT NO. 1

On page 4, between lines 22 and 23, insert "* * *

AMENDMENT NO. 2

On page 5, line 2, after "facility" insert "for developmental disabilities and mental health"

AMENDMENT NO. 3

On page 6, delete lines 6 through 8 and insert "relative to mental health, developmental disabilities and substance abuse services, including the Alcohol and Drug Unit and Fontainebleu Treatment Center, for the parishes of Livingston, St. Helena, St. Tammany, Tangipahoa, and Washington."

AMENDMENT NO. 4

On page 6, line 19, after "authority," insert "The initial appointments shall be made no later than January 1, 2004."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Reengrossed House Bill No. 954 by Representative Winston

AMENDMENT NO. 1

On page 2, line 19, delete "2005" and insert "2004"

AMENDMENT NO. 2

On page 2, line 22, delete "2007" and insert "2005"

AMENDMENT NO. 3

On page 2, line 24, after "framework" insert "provided, however, that no functions or funds shall be transferred from the department to the authority nor services or programs performed by the authority prior to July 1, 2004"

AMENDMENT NO. 4

On page 16, line 23, after "The provisions" delete "of this Section and of Section 2"

AMENDMENT NO. 5

On page 17, delete lines 3 through 6

Rep. Winston moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Perkins
Alario	Fruge	Pierre
Alexander	Futrell	Pinac
Ansardi	Gallot	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Richmond
Baudoin	Heaton	Romero
Baylor	Hebert	Salter
Beard	Hill	Scalise
Bowler	Honey	Schneider
Broome	Hopkins	Schwegmann
Bruce	Hudson	Shaw
Capella	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Thompson
Daniel	LaFleur	Toomy
Dartez	Lancaster	Townsend
Devillier	LeBlanc	Triche
Diez	Lucas	Tucker
Doerge	Martiny	Waddell
Downer	McDonald	Walker
Downs	McVea	Walsworth
Durand	Montgomery	Welch
Erdey	Morrell	Winston
Fannin	Morrish	Wooton
Farrar	Murray	Wright
Faucheux	Nevers	
Flavin	Odinot	
Total—94		

NAYS

Total—0

ABSENT

Bruneau	Hunter	Quezaire
Carter, K	Kennard	Strain
Glover	Landrieu	Swilling
Green	Peychaud	
Total—11		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 957—

BY REPRESENTATIVES WELCH AND MURRAY
AN ACT

To enact R.S. 46:153.3(C), relative to prescription drugs used in the treatment of HIV/AIDS, hepatitis C, and schizophrenia; to provide a list of drugs which shall be exempt from the Department of Health and Hospitals' reimbursement limits or prior approval requirements; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Welch, the bill was returned to the calendar.

HOUSE BILL NO. 988—BY REPRESENTATIVES LEBLANC, PITRE, AND QUEZAIRE AND
SENATOR MICHOT**AN ACT**

To enact R.S. 40:1742.2, relative to mobility-impaired parking; to authorize parish governing authorities to grant variances in the times during which parking spaces are reserved at certain facilities; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Michot to Reengrossed House Bill No. 988 by Representative LeBlanc

AMENDMENT NO. 1

On page 3, line 19, delete "both prospective and retroactive effect," and insert in lieu thereof "only prospective effect,"

AMENDMENT NO. 2

On page 3, line 20, after "Act" delete the remainder of the line and delete line 21 and insert in lieu thereof "shall be prospective only."

Rep. LeBlanc moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Nevers
Alario	Flavin	Odinot
Alexander	Frith	Perkins
Ansardi	Futrell	Peychaud
Arnold	Gallot	Pierre
Baldone	Guillory	Pinac
Baudoin	Hammett	Pitre
Baylor	Heaton	Powell
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, R	Hutter	Smith, G.—56th
Cazayoux	Iles	Smith, J.D.—50th
Crane	Jackson, L	Smith, J.H.—8th
Crowe	Jackson, M	Sneed
Curtis	Johns	Stelly
Damico	Katz	Strain
Daniel	Kenney	Thompson
Dartez	Lancaster	Townsend
Devillier	LeBlanc	Triche
Diez	Lucas	Tucker
Doerge	Martiny	Waddell
Downer	McDonald	Walker
Downs	McVea	Walsworth
Durand	Montgomery	Welch
Erdey	Morrell	Winston
Fannin	Morrish	Wooton

Farrar
Total—93

Murray

Wright

NAYS

Toomy
Total—1

ABSENT

Carter, K
Fruge
Glover
Green
Total—11

Kennard
LaFleur
Landrieu
Quezaire

Scalise
Smith, J.R.—30th
Swilling

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1147—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 28:381(11) and to enact R.S. 28:20, relative to admission to or services of treatment facilities of the Department of Health and Hospitals; to limit admission to or services of such facilities to persons who meet certain criteria; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Reengrossed House Bill No. 1147 by Representative Durand

AMENDMENT NO. 1

On page 2, line 2 after "shall" insert the following:

"include an assurance of an assessment by a multi-disciplinary team, a time frame for the assessment process to take place, an appeal process if it is found the individual does not meet admission criteria, and develop a plan of care in the event the individual does meet eligibility criteria for services from either the office of mental health or the office for citizens with developmental disabilities and shall"

AMENDMENT NO. 2

On page 2, line 4 after "R.S. 28:2 through 171" insert the following:

"or the rights guaranteed in R.S. 28:390(B)(1) and (2). The department shall submit an annual report which includes but is not limited to the number of individuals who were assessed as a result of this statute, the results of the assessments, and the disposition of each individual who did not meet the criteria for admission to both the Senate Committee on Health and Welfare and the House Committee on Health and Welfare. No individually identifiable health information shall be provided to the committees"

Rep. Durand moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

Page 40 HOUSE

42nd Day's Proceedings - June 16, 2003

YEAS

Mr. Speaker	Frith	Peychaud
Alario	Fruge	Pierre
Alexander	Futrell	Pinac
Ansardi	Gallot	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Richmond
Baudoin	Heaton	Romero
Baylor	Hebert	Salter
Beard	Hill	Scalise
Bowler	Honey	Schneider
Broome	Hopkins	Schwegmann
Bruce	Hudson	Shaw
Bruneau	Hunter	Smith, G.—56th
Capella	Hutter	Smith, J.D.—50th
Carter, R	Iles	Smith, J.H.—8th
Cazayoux	Jackson, L	Smith, J.R.—30th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kenney	Thompson
Daniel	LaFleur	Toomy
Dartez	Lancaster	Townsend
Devillier	LeBlanc	Triche
Diez	Lucas	Tucker
Doerge	Martiny	Waddell
Downer	McDonald	Walker
Downs	McVea	Walsworth
Durand	Montgomery	Welch
Erdey	Morrell	Winston
Fannin	Morrish	Wooton
Farrar	Murray	Wright
Faucheux	Nevers	
Flavin	Odinet	
Total—97		

NAYS

Total—0

ABSENT

Carter, K	Kennard	Quezaire
Glover	Landrieu	Swilling
Green	Perkins	
Total—8		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 1149—

BY REPRESENTATIVE BOWLER

AN ACT

To enact R.S. 22:250.20, relative to health insurance; to provide relative to the compliance of health insurance issuers with state law relative to the Gramm-Leach-Bliley Act; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Engrossed House Bill No. 1149 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete "R.S. 22:250.20," and insert "R.S. 22:228.1(B)(12) and (C) and 250.20,"

AMENDMENT NO. 2

On page 1, line 4, after "Act;" insert the following:

"to provide with respect to small group and individual health insurance rating; to provide for medical savings account policies;"

AMENDMENT NO. 3

On page 1, line 6, after "1." delete "R.S. 22:250.20 is" and insert "R.S. 22:228.1(B)(12) and (C) and 250.20 are"

AMENDMENT NO. 4

On page 1, between lines 7 and 8, insert the following:

"§228.1. Health insurance plans subject to rate limitations

* * *

B. Definitions. Notwithstanding any law to the contrary, the following terms shall be defined as follows:

* * *

(12) "Medical savings account policy" means a high deductible health plan which is qualified to be used in conjunction with a medical savings account as provided in 26 U.S.C.A. 220 et seq.

C. Group and individual medical saving account policies are excluded from the provisions of R.S. 22:228.1 through 228.6.

* * *

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Engrossed House Bill No. 1149 by Representative Bowler

AMENDMENT NO. 1

On page 1, line 2, after "enact" change "R.S. 22:250.20" to "R.S. 22:228.1(B)(12) and (C) and 250.20"

AMENDMENT NO. 2

On page 1, line 4, after "Act;" insert "to provide with respect to small group and individual health insurance rating; to provide for medical savings account policies;"

AMENDMENT NO. 3

On page 1, line 6, after "Section 1." change "R.S. 22:250.20 is" to "R.S. 22:228.1(B)(12) and (C) and 250.20 are"

AMENDMENT NO. 4

On page 1, between lines 6 and 7, insert the following:

"§228.1. Health insurance plans subject to rate limitations

* * *

B. Definitions. Notwithstanding any law to the contrary, the following terms shall be defined as follows:

* * *

(12) "Medical savings account policy" means a high deductible health plan which is qualified to be used in conjunction with a medical savings account as provided in 26 U.S.C.A. 220 et seq.

C. Group and individual medical savings account policies are excluded from the provisions of R.S. 22:228.1 through 228.6.

* * *

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Engrossed House Bill No. 1149 by Representative Bowler

AMENDMENT NO. 1

Delete Senate Floor Amendments proposed by Senator Boissiere and adopted by the Senate on June 10, 2003

Rep. Bowler moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Perkins
Alario	Fruge	Peychaud
Alexander	Futrell	Pierre
Ansardi	Gallot	Pinac
Arnold	Glover	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, R	Hutter	Smith, J.D.—50th
Cazayoux	Iles	Smith, J.H.—8th
Crane	Jackson, L	Smith, J.R.—30th
Crowe	Jackson, M	Sneed
Curtis	Johns	Stelly
Damico	Katz	Strain
Daniel	Kenney	Swilling
Dartez	LaFleur	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Triche
Downer	McDonald	Tucker
Downs	McVea	Waddell
Durand	Montgomery	Walker
Erdey	Morrell	Walsworth
Fannin	Morrish	Welch
Farrar	Murray	Winston
Faucheux	Nevers	Wooton
Flavin	Odinet	Wright
Total—99		

NAYS

Total—0

ABSENT

Carter, K
Green
Total—6

Kennard
Lancaster

Landrieu
Quezaire

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1181— BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 51:911.22(6) through (11), 911.26(F)(4) and (I), 911.28(A)(1), (2), (3), (4), (8), (9), and (10), 911.39, and 912.27(A) and (C), to enact R.S. 51:911.22(12), 911.24(J), (K), and (L), 911.26(B)(4) and (F)(8) and (9), and 912.31, and to repeal R.S. 51:911.28(C), relative to manufactured housing; to provide for definitions; to provide for the licensing of manufactured home brokers; to provide for an increase in certain fees; to provide for certain educational and insurance requirements; to provide for recusal of members of the Louisiana Manufactured Housing Commission; to provide for certain additional powers of the commission; to provide relative to penalties for violation of law and rules; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 1181 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 3 after "911.39," insert "912.24(2)(d),"

AMENDMENT NO. 2

On page 1, line 15 after "911.39," insert "912.24(2)(d),"

AMENDMENT NO. 3

On page 2, at the end of line 12 insert the following:

"This term includes and is interchangeable with the term "house trailer", but does not include the term "manufactured home", as only manufactured homes are built to federal construction standards."

AMENDMENT NO. 4

On page 4, at the end of line 5 insert the following:

"Further, each of these persons shall take a class and pass an accompanying test prior to receiving their original license. The commission shall develop the class and test. The fee for the Retailer and Developer class and test shall be set by rule and shall not exceed one hundred dollars."

AMENDMENT NO. 5

On page 5, delete lines 12 through 20 and insert the following:

"I. Within the ~~commission~~ office of the governor there is hereby created a division that shall be referred to as the Manufactured Housing State Administrative Agency. This division shall handle manufactured housing consumer complaints on behalf of the federal Department of

Page 42 HOUSE

42nd Day's Proceedings - June 16, 2003

Housing and Urban Development (HUD). The governor shall appoint ~~a state employee to act as an~~ administrative agent ~~of this division to handle such manufactured housing consumer complaints.~~ This ~~employee administrative agent~~ shall be responsible for Louisiana's compliance with the federal portion of the manufactured housing program."

AMENDMENT NO. 6

On page 7, between lines 3 and 4 insert the following:

"* * *

§912.24. Installation standards for anchors and tie-downs

The following specifications are standards set for used manufactured homes when manufacturer's installation instructions and specifications are not available:

* * *

(2) Frame ties:

* * *

(d) Used units where the manufacturer's specifications are not available shall be anchored every ~~twelve~~ ten feet in Zone I, eight feet in Zone II, and six feet in Zone III, with anchors placed within two feet of each end. Such units in Wind Zones I, II, and III shall be anchored as specified in 24 C.F.R. 3280.301 through 3280.309.

* * *

AMENDMENT NO. 7

On page 7, line 14 after "attend" delete "an approved certification course" and insert "a certification course offered by the commission or a commission approved provider."

AMENDMENT NO. 8

On page 7, line 16 between "rule" and the period "." insert "and shall not exceed one hundred dollars"

AMENDMENT NO. 9

On page 8, at the beginning of line 7 delete "A" and insert "Any commission licensee or a"

Rep. Pinac moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Psychaud
Alario	Fruge	Pierre
Alexander	Gallot	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Richmond
Baylor	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw

Capella	Hunter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	LeBlanc	Townsend
Diez	Martiny	Triche
Doerge	McDonald	Tucker
Downer	McVea	Waddell
Downs	Montgomery	Walker
Durand	Morrell	Welch
Erdey	Morrish	Winston
Fannin	Murray	Wooton
Farrar	Nevers	Wright
Faucheux	Odinet	
Flavin	Perkins	
Total—91		

NAYS

Beard	Futrell	Scalise
Total—3		

ABSENT

Baudoin	Hutter	Quezaire
Carter, K	Kennard	Swilling
Glover	Landrieu	Walsworth
Green	Lucas	
Total—11		

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

HOUSE BILL NO. 1198—

BY REPRESENTATIVE L. JACKSON

AN ACT

To amend and reenact R.S. 25:380.1(C)(2)(a) and (c), relative to the Louisiana State Cotton Museum; to change the membership of the governing board of the museum; to change the terms of certain members; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 1198 by Representative L. Jackson

AMENDMENT NO. 1

On page 1, line 17, after "state" insert "from a list of ten names submitted and nominated by the legislative delegation from the parishes of East Carroll, West Carroll, Madison, Franklin, Richland, Morehouse, Ouachita, Tensas, Caldwell, and Concordia"

Rep. Lydia Jackson moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Perkins
Alario	Fruge	Peychaud
Alexander	Futrell	Pierre
Ansardi	Gallot	Pinac
Arnold	Glover	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, R	Hutter	Smith, J.D.—50th
Cazayoux	Iles	Smith, J.H.—8th
Crane	Jackson, L	Smith, J.R.—30th
Crowe	Jackson, M	Sneed
Curtis	Johns	Stelly
Damico	Katz	Strain
Daniel	Kenney	Swilling
Dartez	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	LeBlanc	Townsend
Doerge	Martiny	Triche
Downer	McDonald	Tucker
Downs	McVea	Waddell
Durand	Montgomery	Walker
Erdey	Morrell	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Nevers	Wright
Flavin	Odinet	
Total—98		

NAYS

Total—0

ABSENT

Carter, K	Landrieu	Walsworth
Green	Lucas	
Kennard	Quezaire	
Total—7		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1208—

BY REPRESENTATIVES DEWITT AND LANCASTER AND SENATOR HEITMEIER

AN ACT

To enact R.S. 25:1013(A)(8) and 1014(C), relative to the governor's mansion; to increase the number of members on the Louisiana Governor's Mansion Commission; to provide for certain access to the mansion for certain purposes; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 1208 by Representative DeWitt

AMENDMENT NO. 1

On page 1, between lines 15, and 16, insert the following:

"(9) The director of the Old State Capitol.

(10) The president of the Louisiana Governor's Mansion Foundation."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1208 by Representative DeWitt

AMENDMENT NO. 1

On page 1, lines 2 and 7, following "25:1013(A)(8)" and before "and" insert ", (9) and (10)"

Rep. Bruneau moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Perkins
Alario	Fruge	Peychaud
Alexander	Futrell	Pierre
Ansardi	Gallot	Pinac
Arnold	Glover	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, R	Hutter	Smith, J.D.—50th
Cazayoux	Iles	Smith, J.H.—8th
Crane	Jackson, L	Smith, J.R.—30th
Crowe	Jackson, M	Sneed
Curtis	Johns	Stelly
Damico	Katz	Strain
Daniel	Kenney	Swilling
Dartez	LaFleur	Thompson
Devillier	Lancaster	Toomy
Diez	LeBlanc	Townsend
Doerge	Martiny	Triche
Downer	McDonald	Tucker
Downs	McVea	Waddell
Durand	Montgomery	Walker
Erdey	Morrell	Walsworth
Fannin	Morrish	Welch
Farrar	Murray	Winston
Faucheux	Nevers	Wooton
Flavin	Odinet	Wright
Total—99		

NAYS

Total—0

Page 44 HOUSE

42nd Day's Proceedings - June 16, 2003

ABSENT

Carter, K	Kennard	Lucas
Green	Landrieu	Quezaire
Total—6		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1211—

BY REPRESENTATIVES BRUNEAU, DOWNER, AND MURRAY
AN ACT

To amend and reenact R.S. 18:31(C), 103(A), 104(A)(15) and (16), 110(B)(1), 111(B), 154(C), 401.1(C) and (D)(1), 423(H), 425(A)(1)(b) and (2), 435(A)(1), 463(A)(2), 552(B), 553(B)(4), 563, 564(C), 574(A)(2), 576(B) and (C), 1259(B)(1) and (4), 1284(F)(1), 1286(A), 1299.1(A), 1300.2(C)(2), 1300.3(B), 1306(A)(3), 1307(C), and 1354(C), to enact R.S. 18:18.1, 110(B)(3), 401.1(G), 401.2, 552(C), and 1309(E)(4) and (5), and to repeal R.S. 18:425(A)(3) and R.S. 36:742.1, relative to the Election Code; to make technical changes to the Election Code; to prohibit the commissioner of elections and certain unclassified civil service employees from engaging in political activities; to provide relative to the name a woman may use to register to vote; to provide relative to charges for preparation of lists of voter registration information; to provide relative to form and signature requirements on applications to register to vote; to provide for procedures in circumstances of election emergency; to provide for transmission of certain voter registration data where necessary for verification purposes; to provide relative to a designee attending a board of election supervisors meeting; to provide for filing a list of watchers to be present at the precinct; to provide relative to the certification of a candidate in the notice of candidacy; to provide for the secretary of state to issue information as necessary under the Help America Vote Act; to provide for the definition of casting a vote; to provide for procedures for assisted voting; to provide relative to the transmission of election results to the secretary of state by the clerks of court; to provide relative to the format of ballots and statements of propositions and the manner of marking on a ballot; to provide relative to recall petitions and written requests to delete or add from such petitions; to provide relative to mail applications to vote absentee by mail; to provide for procedures for when a voter fails to activate the cast ballot mechanism; to prohibit a parish custodian from appointing a candidate or his family member from serving at certain polling places; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 1211 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 6, after "1307(C)," and before "to enact " delete "and 1354(C)," and insert "1354(C), and 1400.3(D)(1),"

AMENDMENT NO. 2

On page 2, line 20, after "1300.3(B)," and before "are hereby" delete "and 1354(C)" and insert "1354(C), and 1400.3(D)(1)"

AMENDMENT NO. 3

On page 16, between lines 19 and 20, insert the following:

"§1400.3. Election expenses incurred by clerks of court and registrars of voters; payment by commissioner of elections; payment by governing authorities

* * *

D. For the purposes of this Section, "election expenses incurred by registrars of voters" is defined and limited to the following:

(1) Expenses incurred by a registrar of voters to pay for one or more temporary part-time clerical employees to perform election duties and responsibilities associated with his office as provided in this Title. Such employees shall be paid at an hourly rate established by the registrar at not to exceed that of a Voter Registration Specialist Clerk Chief II in the General Schedule at the entry level as specified in the classification and pay plan of the Louisiana Department of Civil Service.

* * *

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1211 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "103(A)," delete "R.S. 18:31(C) and insert "R.S. 18:31(B)(as enacted by Acts 2001, No. 451) and (C)"

AMENDMENT NO. 2

On page 23, between lines 17 and 18 insert the following:

"Section 3. R.S. 18(31)(B)(as enacted by Acts 2001, No. 451) is hereby amended and reenacted as follows:

§31. State voter registration computer system; parish computer system

* * *

B. The secretary of state shall adopt rules and regulations with respect to all records, data, and information required for registration of voters and the transfer of copies thereof to the department. The secretary of state shall establish, by rule, a uniform cost for the preparation of lists of registered voters. However, no charges for preparation or transmission of voter registration data shall apply to the office of motor vehicles of the Department of Public Safety and Corrections, when the transmitted date is used to verify voter registration information against driver's license and social security information. All rules and regulations shall be adopted pursuant to the Administrative Procedure Act.

* * *

AMENDMENT NO. 3

On page 23, line 18, after "Section" change "3." to "4."

AMENDMENT NO. 4

On page 23, line 20, after "Section" change "4." to "5."

AMENDMENT NO. 5

On page 23, line 20, after "Sections 1 and" and before "of this Act" delete "3" and insert "4"

AMENDMENT NO. 6

On page 24, line 2, after "such approval." insert the following:

"Section 3 of this Act shall become effective upon the expiration of the term of office of the commissioner of elections in office on the effective date of this Section, hereinafter referred to as the incumbent, or whenever a vacancy occurs in the office, whichever occurs first. Should a vacancy occur prior to the expiration of the term of office of the incumbent, the secretary of state shall perform the duties and responsibilities of such office until an appointment is made to fill the office in the manner provided in Acts 2001, No. 451, §1, eff. Jan. 12, 2004."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator McPherson to Reengrossed House Bill No. 1211 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 3, after "423(H)," insert "424(E)," and after "and (2)" insert "and (E)"

AMENDMENT NO. 2

On page 2, line 1, after "meeting;" insert "to provide for two shifts for election commissioners; to provide for additional compensation of commissioners;"

AMENDMENT NO. 3

On page 2, line 18, after "423(H)," insert "424(E)," and after "and (2)" insert "and (E)"

AMENDMENT NO. 4

On page 8, between lines 21 and 22 insert the following:

"§424. Commissioners-in-charge

* * *

E. Compensation. A commissioner-in-charge shall receive ~~one~~ two hundred fifty dollars for each election in which he serves.

* * *"

AMENDMENT NO. 5

On page 9, between lines 19 and 20 insert the following:

~~"E. Compensation. A commissioner who serves at the polling place on election day and who has received a certificate of instruction as provided in R.S. 18:431(A) shall receive fifty dollars. A commissioner who serves at the polling place on election day and who has received a certificate of instruction as provided in R.S. 18:431(B) shall receive one hundred dollars. An uncertified commissioner who serves at the polling place on election day shall receive thirty-five dollars.~~

E. Shifts. There shall be two eight-hour shifts for commissioners who serve at the polling place on election day."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fontenot to Reengrossed House Bill No. 1211 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 6, after "1307(C)," insert "1317,"

AMENDMENT NO. 2

On page 2, line 6, after "voting;" insert "to allow students age 17 who are seniors in high school to serve as commissioners on election day; to provide that the vote of an individual who votes absentee and subsequently dies prior to the opening of the polls on the day of the election shall be valid;"

AMENDMENT NO. 3

On page 2, line 20, after "1300.3(B)," insert "1317,"

AMENDMENT NO. 4

On page 23, between lines 17 and 18, insert the following:

"§1317 Death of voter prior to opening polls

~~When the members of the board determine by proof satisfactory to them that a voter who has voted by absentee ballot has died~~ dies prior to the opening of the polls on the day of the election, ~~they shall return the ballot of the voter in the same manner as is provided in R.S. 18:1315 for the challenge of ballots. However, the casting of an such~~ absentee ballot by a voter who thereafter dies or shall be included in the tabulation of such a ballot and shall not invalidate the election."

Rep. Bruneau moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Pychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, R	Hutter	Smith, G.—56th
Cazayoux	Iles	Smith, J.D.—50th
Crane	Jackson, L	Smith, J.H.—8th
Crowe	Jackson, M	Smith, J.R.—30th
Curtis	Johns	Sneed
Damico	Katz	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	LeBlanc	Toomy
Doerge	Lucas	Townsend
Downer	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch

Page 46 HOUSE

42nd Day's Proceedings - June 16, 2003

Faucheux
Flavin
Frith
Total—99

Murray
Nevers
Odinet

Winston
Wooton
Wright

NAYS

Total—0

ABSENT

Baudoin
Carter, K
Total—6

Green
Kennard

Landrieu
Quezaire

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 1234—

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 6:242(A)(17), R.S. 9:3572.2(B)(9), and R.S. 51:1910(1)(b)(xi), relative to loans; to authorize banks to make refund anticipation loans; to provide relative to loan brokers; to provide for certain exceptions; to provide relative to refund anticipation loans; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Reengrossed House Bill No. 1234 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 17 between "loans" and the period "." insert "and to assess interest charges and fees in relation to such loans to the same extent as a state-chartered bank in any other state or a bank chartered under the laws of the United States"

Rep. Pinac moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Alexander
Ansardi
Arnold
Baldone
Baylor
Beard
Bowler
Broome
Bruce
Bruneau
Capella
Carter, R
Cazayoux
Crane
Crowe

Fruge
Futrell
Gallot
Glover
Guillory
Hammett
Heaton
Hebert
Hill
Honey
Hopkins
Hudson
Hunter
Hutter
Iles
Jackson, L
Jackson, M

Perkins
Peychaud
Pierre
Pinac
Pitre
Powell
Richmond
Romero
Salter
Scalise
Schneider
Schwegmann
Shaw
Smith, G.—56th
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th

Curtis
Damico
Daniel
Dartez
Devillier
Diez
Doerge
Downer
Downs
Durand
Erdey
Fannin
Farrar
Faucheux
Flavin
Frith
Total—99

Johns
Katz
Kenney
LaFleur
Lancaster
LeBlanc
Lucas
Martiny
McDonald
McVea
Montgomery
Morrell
Morrish
Murray
Nevers
Odinet

Sneed
Stelly
Strain
Swilling
Thompson
Toomy
Townsend
Triche
Tucker
Waddell
Walker
Walsworth
Welch
Winston
Wooton
Wright

NAYS

Total—0

ABSENT

Baudoin
Carter, K
Total—6

Green
Kennard

Landrieu
Quezaire

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1321—

BY REPRESENTATIVE K. CARTER

AN ACT

To enact Part LVI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.171 and 1300.172, relative to environmental health surveillance; to provide for purpose of environmental health surveillance; to provide for objective; to provide for creation of a working group; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Walker, the bill was returned to the calendar.

HOUSE BILL NO. 1437—

BY REPRESENTATIVE HEBERT

AN ACT

To enact R.S. 22:250.39, relative to health insurance; to provide with respect to underpayment of health insurance claims; to provide relative to retroactive contractual rate adjustments negotiated between a health insurance issuer and a health care provider; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Engrossed House Bill No. 1437 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete "R.S. 22:250.39," and insert "R.S. 22:228.1(B)(12) and (C) and 250.39,"

AMENDMENT NO. 2

On page 1, line 5, after "provider;" insert the following:

"to provide with respect to small group and individual health insurance rating; to provide for medical savings account policies;"

AMENDMENT NO. 3

On page 1, line 8, after "1." delete "R.S. 22:250.39 is" and insert "R.S. 22:228.1(B)(12) and (C) and 250.39 are"

AMENDMENT NO. 4

On page 1, between lines 8 and 9, insert the following:

"§228.1. Health insurance plans subject to rate limitations

* * *

B. Definitions. Notwithstanding any law to the contrary, the following terms shall be defined as follows:

* * *

(12) "Medical savings account policy" means a high deductible health plan which is qualified to be used in conjunction with a medical savings account as provided in 26 U.S.C.A. 220 et seq.

C. Group and individual medical saving account policies are excluded from the provisions of R.S. 22:228.1 through 228.6.

* * *

Rep. Hebert moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Guillory	Pitre
Baldone	Hammitt	Powell
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Triche
Downer	McDonald	Tucker

Downs	McVea	Waddell
Durand	Montgomery	Walker
Erdey	Morrell	Walsworth
Fannin	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinet	Wright
Total—99		

NAYS

Total—0

ABSENT

Carter, K	Green	Landrieu
Farrar	Kennard	Quezaire
Total—6		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 1534—

BY REPRESENTATIVES WINSTON AND WELCH

AN ACT

To amend and reenact R.S. 36:4(F) and R.S. 46:2521, 2522, and 2524, to enact R.S. 46:2525 and R.S. 49:210.1, and to repeal R.S. 46:2523, relative to the Louisiana Women's Policy and Research Commission; to provide for the creation of the commission; to provide for a special assistant to the governor on women's policy; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 1534 by Representative Winston

AMENDMENT NO. 1

On page 6, line 23 after "youth leadership" insert "organization focused solely on girls"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Reengrossed House Bill No. 1534 by Representative Winston

AMENDMENT NO. 1

On page 5, line 9, change "nine" to "eleven" and change "(15)" to "(13)"

Rep. Winston moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Peychaud
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre

Page 48 HOUSE

42nd Day's Proceedings - June 16, 2003

Arnold	Guillory	Powell
Baldone	Hammett	Richmond
Baudoin	Heaton	Romero
Baylor	Hebert	Salter
Beard	Hill	Scalise
Bowler	Honey	Schneider
Broome	Hopkins	Schwegmann
Bruce	Hudson	Shaw
Bruneau	Hunter	Smith, G.—56th
Capella	Hutter	Smith, J.D.—50th
Carter, R	Iles	Smith, J.H.—8th
Cazayoux	Jackson, L	Smith, J.R.—30th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Doerge	Martiny	Tucker
Downer	McDonald	Waddell
Downs	McVea	Walker
Durand	Montgomery	Walsworth
Erdey	Morrell	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Nevers	Wright
Flavin	Odinet	
Frith	Perkins	
Total—100		

NAYS

Total—0

ABSENT

Carter, K	Kennard	Quezaire
Green	Landrieu	
Total—5		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1765—

BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact R.S. 22:250.38(B), relative to recoupment of payments; to provide for appeal of health insurer's action; to allow a health care provider thirty days to provide certain information to the insurer; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 1765 by Representative Ansardi

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 22:250.38(B)" insert "and (E) and to enact R.S. 22:250.38(F)"

AMENDMENT NO. 2

On page 1, line 7, change "R.S. 22:250.38(B) is" to "R.S. 22:250.38(B) and (E) are" and after "reenacted" insert "and R.S. 22:250.38(F) is hereby enacted"

AMENDMENT NO. 3

On page 1, line 17, after "recoupment." delete the remainder of the line

AMENDMENT NO. 4

On page 2, delete lines 1 through 3

AMENDMENT NO. 5

On page 2, line 4, delete "being made."

AMENDMENT NO. 6

On page 2, below line 9, insert the following:

"E. ~~The provisions of this Section shall not apply to the Office of Group Benefits.~~ If the recoupment directly affects the payment responsibility of the insured, the health insurance issuer shall provide at the same time a revised explanation of benefits to the health care provider and the covered person for whose claim the recoupment is being made. Unless the recoupment of a health insurance claim payment directly affects the payment responsibility of the insured, such recoupment shall not result in any increased liability of an insured.

E.F. The provisions of this Section shall not apply to the Office of Group Benefits."

Rep. Ansardi moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Triche
Downer	McDonald	Tucker
Downs	McVea	Waddell
Durand	Montgomery	Walker

Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinot	Wright

Total—99

NAYS

Total—0

ABSENT

Carter, K	Green	Landrieu
Erdey	Kennard	Quezaire

Total—6

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1826 (Substitute for House Bill No. 1081 by Representative Durand)—
BY REPRESENTATIVE DURAND

AN ACT

To enact R.S. 37:934, relative to registered nurses; to provide for utilization review under the Louisiana Medical Assistance Program; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 1826 by Representative Durand

AMENDMENT NO. 1

On page 1, lines 12 and 13, delete "and supervision"

Rep. Durand moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Peychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Romero
Baudoin	Hebert	Salter
Baylor	Hill	Scalise
Beard	Honey	Schneider
Bowler	Hopkins	Schwegmann
Broome	Hudson	Shaw
Bruce	Hunter	Smith, G.—56th
Bruneau	Hutter	Smith, J.D.—50th
Capella	Iles	Smith, J.H.—8th
Carter, R	Jackson, L	Smith, J.R.—30th
Cazayoux	Jackson, M	Stelly
Crane	Johns	Strain
Crowe	Katz	Swilling
Damico	Kenney	Thompson
Dartez	LaFleur	Toomy

Devillier	Lancaster	Townsend
Diez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downer	Martiny	Waddell
Durand	McDonald	Walker
Fannin	McVea	Walsworth
Farrar	Morrell	Welch
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Fruge	Perkins	

Total—92

NAYS

Total—0

ABSENT

Carter, K	Green	Quezaire
Curtis	Kennard	Richmond
Daniel	Landrieu	Sneed
Downs	Montgomery	
Erdey	Odinot	

Total—13

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 196—

BY REPRESENTATIVES ANSARDI, ALARIO, BROOME, BRUCE, BRUNEAU, CAZAYOUX, DAMICO, DIEZ, DURAND, FAUCHEUX, FRITH, GUILLORY, HILL, ILES, L. JACKSON, M. JACKSON, KATZ, LANCASTER, LANDRIEU, MARTINY, MCDONALD, MURRAY, ODINET, POWELL, QUEZAIRE, ROMERO, SCHWEGMANN, SHAW, JACK SMITH, SNEED, STRAIN, TOOMY, WALKER, AND WELCH AND SENATORS HAINKEL, HOLDEN, HOLLIS, AND THOMAS

AN ACT

To enact Part VI-C of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2176 through 2180, relative to alternate health care models; to provide with respect to the licensure of alternate health care models; to provide procedures and fees; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Irons to Engrossed House Bill No. 196 by Representative Ansardi (Duplicate of Senate Bill No. 542)

AMENDMENT NO. 1

On page 1, line 2, change "VI-C" to "VI-B"

AMENDMENT NO. 2

On page 1, line 3, change "40:2176 through 2180," to "40:2177.1 through 2177.6,"

AMENDMENT NO. 3

On page 1, line 5, after "to provide" delete the remainder of the line and insert in lieu thereof the following:

"for the establishment of children's comfort care center programs; to repeal Part VI-B of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, enacted by Acts 2001, No. 923, comprised of R.S. 40:2176.1, relative to a pilot program for children's comfort care centers; and to"

Page 50 HOUSE

42nd Day's Proceedings - June 16, 2003

AMENDMENT NO. 4

On page 1, line 8, change "VI-C" to "VI-B"

AMENDMENT NO. 5

On page 1, line 9, change "40:2176 through 2180," to "40:2177.1 through 2177.6,"

AMENDMENT NO. 6

On page 1, delete line 11 in its entirety and insert in lieu thereof the following:

"PART VI-B. CHILDREN'S COMFORT CARE
CENTER PROGRAM"

AMENDMENT NO. 7

On page 1, line 12, change "§2176" to "§2177.1"

AMENDMENT NO. 8

On page 1, line 13, change "consumers" to "Louisiana citizens"

AMENDMENT NO. 9

On page 1, line 14, change "other consumers" to "many"

AMENDMENT NO. 10

On page 1, line 15, change "Consumers of health care also" to "Louisiana citizens"

AMENDMENT NO. 11

On page 2, line 3, change "services" to "care" and after "setting," delete "for care"

AMENDMENT NO. 12

On page 2, delete line 7 and insert in lieu thereof the following:

"§2177.2. Purpose"

AMENDMENT NO. 13

On page 2, line 8, delete "A."

AMENDMENT NO. 14

On page 2, line 11, change "Furthermore, these" to "These"

AMENDMENT NO. 15

On page 2, line 12, after "shall be" delete the remainder of the line.

AMENDMENT NO. 16

On page 2, delete line 14 and insert in lieu thereof the following:

"§2177.3. Definitions"

As used in this Part, the following terms shall have the"

AMENDMENT NO. 17

On page 2, line 15, change "meanings" to "definitions"

AMENDMENT NO. 18

On page 2, line 17, change "this Part." to "R.S. 40:2177.4."

AMENDMENT NO. 19

On page 2, line 21, change "respite" to "comfort"

AMENDMENT NO. 20

On page 2, line 24, between "and" and "their" insert "for"

AMENDMENT NO. 21

On page 3, line 9, after "means" delete the remainder of the line and delete line 10 in its entirety and insert in lieu thereof the following:

"an alternate health care model for the palliative and curative needs of children authorized and licensed in accordance with this Part and regulations promulgated by the Louisiana Department of Health and Hospitals and authorized under this Act."

AMENDMENT NO. 22

On page 3, line 11, between "the" and "Department" insert "Louisiana"

AMENDMENT NO. 23

On page 3, line 13, between "means" and "representatives" insert "a group of"

AMENDMENT NO. 24

On page 3, line 17, change "misfortune" to "condition"

AMENDMENT NO. 25

On page 3, line 19, between "congenital" and "and chronic" insert "conditions"

AMENDMENT NO. 26

On page 4, line 1, between "means" and "reduction" delete "the" and insert in lieu thereof "care that provides"

AMENDMENT NO. 27

On page 4, line 2, change "troubling symptoms" to "distress"

AMENDMENT NO. 28

On page 4, line 3, change "team" to "services"

AMENDMENT NO. 29

On page 4, line 3, after "achieve" delete the remainder of the line and insert in lieu thereof the following:

"said reduction or abatement."

AMENDMENT NO. 30

On page 4, line 5, change "§2178" to "§2177.4"

AMENDMENT NO. 31

On page 4, line 8, change "unless it is" to "except as"

AMENDMENT NO. 32

On page 4, delete line 17 in its entirety and insert in lieu thereof the following:

"adopted under this Part and promulgated in accordance with the Administrative Procedure Act.

D. A licensed alternate health care model that"

AMENDMENT NO. 33

On page 4, line 22, change "D." to "E."

AMENDMENT NO. 34

On page 5, line 1, change "§2179" to "§2177.5"

AMENDMENT NO. 35

On page 5, line 3, change "this Part" to "R.S. 40:2177.2"

AMENDMENT NO. 36

On page 5, line 18, change "C.(1)" to "C."

AMENDMENT NO. 37

On page 5, line 23, change "(2)" to "(1)"

AMENDMENT NO. 38

On page 5, line 25, after "unit" add a comma " , "

AMENDMENT NO. 39

On page 6, line 1, change "(3)" to "(2)"

AMENDMENT NO. 40

On page 6, line 4, change "(4)" to "(3)"

AMENDMENT NO. 41

On page 6, line 12, decap "Committees on Health and Welfare"

AMENDMENT NO. 42

On page 6, line 19, change "alternate health" to "children's comfort"

AMENDMENT NO. 43

On page 6, line 20, between "model" and "as" insert "program"

AMENDMENT NO. 44

On page 6, line 20, change "this Part" to "R.S. 40:2177.3"

AMENDMENT NO. 45

On page 6, delete line 22 in its entirety and insert in lieu thereof the following:

"§2177.6. Alternate health care models authorized

A. The department is authorized to establish standards, promulgate rules and, generally, provide for the licensure of alternate health care models, including children's comfort care center programs, in Louisiana."

AMENDMENT NO. 46

On page 6, line 23, change "A." to "B."

AMENDMENT NO. 47

On page 6, delete line 25 in its entirety and insert in lieu thereof the following:

"demonstration basis only.

C. Alternate health care model: children's comfort care center."

AMENDMENT NO. 48

On page 7, line 1, change "B." to "(1)" and change "respite" to "comfort"

AMENDMENT NO. 49

On page 7, line 5, change "C." to "(2)"

AMENDMENT NO. 50

On page 7, line 10, after "Section 2." delete the remainder of the line and delete lines 11 and 12 in their entirety and insert in lieu thereof the following:

"Part VI-B of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, enacted by Acts 2001, No. 923, comprised of R.S. 40:2176.1, is hereby repealed."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Engrossed House Bill No. 196 by Representative Ansardi

AMENDMENT NO. 1

Delete conforming Senate Floor Amendments Nos. 1 through 50 proposed by Senator Irons and adopted by the Senate on June 2, 2003.

Rep. Ansardi moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Perkins
Alario	Fruge	Peychaud
Alexander	Futrell	Pierre
Ansardi	Gallot	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson

Page 52 HOUSE

42nd Day's Proceedings - June 16, 2003

Dartez	Lancaster	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Doerge	Martiny	Tucker
Downer	McDonald	Waddell
Downs	Montgomery	Walker
Durand	Morrell	Walsworth
Fannin	Morrish	Welch
Farrar	Murray	Winston
Faucheux	Nevers	Wooton
Flavin	Odinot	Wright

Total—96

NAYS

Total—0

ABSENT

Carter, K	Green	McVea
Erdey	Kennard	Quezaire
Glover	Landrieu	Sneed

Total—9

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 549—

BY REPRESENTATIVE FUTRELL

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(b)(i), relative to the Tuition Opportunity Program for Students Opportunity Award; to provide eligibility requirements, including minimum scores on certain tests; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Theunissen to Engrossed House Bill No. 549 by Representative Futrell

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 17:3048.1" delete the remainder of the line and insert "(A)(1)(a)(iii) and (b)(i), (4)(a)(iii), (B)(3)(a), (C)(2)(f) and (h)(i), (K)(3)(a) and (b), (L), (P)(1)(a), and (Q)(1)(a) and (b) and to repeal R.S. 17:3048.1(M), relative to the Tuition"

AMENDMENT NO. 2

On page 1, line 4, after "tests;" delete the remainder of the line and insert "to provide relative to the Tuition Opportunity Program for Students; to provide relative to residency and citizenship requirements; to provide relative to the adoption of certain rules by the administering agency, including guidelines and procedures permitting the administering agency to receive and consider certain test scores of an applicant that are obtained on a testing date during a specified time period in the year of the applicant's graduation from high school; to provide relative to a student who initially qualifies for more than one program award; to refer to court-ordered custodians rather than legal guardians; to provide relative to the reinstatement of award benefits to certain students; to provide relative to the eligibility of students graduating from certain out-of-state high schools; to remove provisions relative to the presentation of certain certificates of achievement and the procedures for doing so; and"

AMENDMENT NO. 3

On page 1, line 7, after "R.S. 17:3048.1" delete "(A)(1)(b)(i) is" and insert in lieu thereof "(A)(1)(a)(iii) and (b)(i), (4)(a)(iii), (B)(3)(a), (C)(2)(f) and (h)(i), (K)(3)(a) and (b), (L), (P)(1)(a), and (Q)(1)(a) and (b) are"

AMENDMENT NO. 4

On page 1, delete line 11, and insert in lieu thereof the following:

"A.(1) As part of the Louisiana Tuition Opportunity Program for Students, the state shall financially assist any student who enrolls on a full-time basis in a public college or university in this state or a regionally accredited independent college or university in the state that is a member of the Louisiana Association of Independent Colleges or Universities, hereafter in this Chapter referred to collectively as "eligible colleges or universities", to pursue an academic undergraduate degree or, as provided by this Subsection, skill or occupational training, including a vocational or technical education certificate or diploma program or a nonacademic undergraduate degree, and who meets the qualifications of Subparagraph (b), (c), or (d) of this Paragraph and all of the applicable following qualifications:

(a)

* * *

(iii) For a student graduating from high school during the 1999-2000 school year or thereafter, is a citizen of the United States and if an independent student, as defined by the administering agency, is a resident of Louisiana or if a dependent student, as defined by the administering agency, has a parent or ~~legal guardian~~ court-ordered custodian who is a resident of Louisiana during the twenty-four months preceding the date of the student's graduation from high school, or is the dependent child of a resident of Louisiana on active duty with the United States Armed Forces who is stationed outside Louisiana but who claims Louisiana as his ~~home of record~~ state of legal residence and who has filed a Louisiana state income tax return for the most recent two years, or is the dependent child of a nonresident on active duty with the United States Armed Forces who is stationed in Louisiana under permanent change of station orders and who not later than sixty days after reporting to such station changes his military personnel records to establish Louisiana as his ~~official home of record~~ state of legal residence and complies with Louisiana income tax laws and regulations for the time period while stationed in Louisiana. A student who is not a citizen of the United States but who is eligible to apply for such citizenship shall be deemed to satisfy the citizenship requirement of this Subparagraph if within sixty days after the date the student attains the age of majority, the student applies to become a citizen of the United States and obtains such citizenship within one year after the date of application."

AMENDMENT NO. 5

On page 2, after line 20, insert the following:

"(4) To maintain continued state payment of an amount equal to tuition and other amounts pursuant to an award under this Chapter once enrolled in college a student shall meet all of the following:

(a)

* * *

(iii) If at any time a student fails to maintain the cumulative grade point average required for continuation in the program or as of the end of any semester or term during the academic year fails to make steady academic progress as defined by the administering agency, such student shall become ineligible for further payments. Payments limited to those provided in Paragraph (A)(2) of this Section regardless of whether the

originally granted award was an Opportunity, Performance, or Honors Award may be reinstated upon attainment of the grade point average required by this Paragraph for a student to maintain continued state payments once enrolled in college and the standards for steady academic progress as defined by the administering agency, provided that the student has maintained other continuation requirements and the period of ineligibility did not persist for more than two years from the date of loss of eligibility. If this two-year period is interrupted due to a student's active duty service in the United States Armed Forces, the two-year period shall be extended for a length of time equal to the student's active duty service, not to exceed four years.

* * *

B.

* * *

(3) To maintain continued state payment of an amount equal to tuition pursuant to a TOPS-Tech Award once enrolled in an institution, a student shall meet all of the following:

(a) Make steady academic progress as defined by the administering agency toward completion of the requirements of the program in which enrolled earning not less than the minimum number of hours of credit required for full-time standing or the required number of hours needed to complete the program's requirements. If at any time a student fails to maintain the cumulative grade point average required for continuation in the program or as of the end of any term during the school year fails to make steady academic progress as defined by the administering agency, the student shall become ineligible for further payments. Payments may be reinstated upon attainment of the grade point average required for continuation of the original award and the standards for steady academic progress as defined by the administering agency, provided that the student has maintained other continuation requirements and the period of ineligibility did not persist for more than one year from the date of loss of eligibility. If this one-year period is interrupted due to a student's active duty service in the United States Armed Forces, the one-year period shall be extended for a length of time equal to the student's active duty service, not to exceed four years.

* * *

C.

* * *

(2) Except as otherwise provided by this Paragraph, the administering agency by rule shall provide for:

* * *

(f) Guidelines and procedures directing that when tuition is paid from a source other than the award made pursuant to this Section, the award shall be applied by the institution attended by the student toward payment of expenses other than tuition which are described in the term "cost of attendance" as that term is defined in 20 U.S.C. 1087(II), as amended, for the purpose of qualifying the student or his parent or guardian court-ordered custodian for the federal income tax credits provided for under 26 U.S.C. 25A.

* * *

(h)(i) Guidelines and procedures permitting the administering agency to receive and consider, beginning with awards made for the 2000-2001 academic year and thereafter, an applicant's qualifying score on the American College Test or on the Scholastic Aptitude Test that which is first obtained on an authorized testing date after the national

April ACT testing date in the year of the applicant's high school graduation but prior to July first of the year of such graduation.

* * *

K.

* * *

(3)(a)(i) Any student who receives a financial assistance award pursuant to this Section may elect to accept the award on the basis provided in this Paragraph. The student may elect to delay the acceptance of his financial assistance award until after the student, if he is not claimed as a dependent of a parent or guardian court-ordered custodian on a federal income tax return, or his parent or guardian court-ordered custodian, if he is claimed as a dependent on a federal income tax return, files his federal income tax return.

(ii) If the student delays the acceptance of his award and the student, parent, or guardian court-ordered custodian claims a federal income tax credit for money expended on educational tuition for the postsecondary education of the student, the administering agency shall pay directly to the student an amount equal to the amount of the award that would have been paid to the eligible institution on behalf of the student less the amount of the tax credit claimed plus as an incentive for claiming the credit and thus reducing the cost to the state of this program, an amount equal to twenty-five percent of the amount of the credit claimed.

(iii) If the student delays the acceptance of his award and the student, parent, or guardian court-ordered custodian does not claim such a credit, then the amount of the award that would have been paid to the eligible institution on behalf of the student shall be paid directly to the student.

(b) In order to receive the additional incentive payment provided for in Item(a)(ii) of this Paragraph, the student, parent, or guardian court-ordered custodian filing the return shall provide such proof to the administering agency of the amount of federal income tax credit for money expended on educational tuition claimed as required by the agency, including access to their federal income tax records or other appropriate records.

* * *

L. Each student who initially qualifies for more than one award under the provisions of this Section shall receive the award requiring the most rigorous eligibility criteria. ~~unless the student chooses to receive the TOPS Tech Award and enrolls in a Louisiana public postsecondary institution pursuant to Paragraph B(2) of this Section. Once the student who has chosen a TOPS Tech Award enrolls in a Louisiana public postsecondary institution pursuant to Paragraph B(2) of this Section, his choice becomes irrevocable.~~

* * *

P.(1) Notwithstanding any initial student eligibility requirement of this Chapter to the contrary, a student shall be eligible to receive a TOPS-Tech Award pursuant to this Section provided each of the applicable following conditions are met:

(a) The student has been certified by the principal or headmaster to have graduated during the 1996-1997 or the 1997-1998 school year or thereafter from an out-of-state high school which has been approved by the appropriate state educational agency in the state in which the school is located; from an out-of-state high school which is accredited by the Southern Association of Colleges and Schools' Commission on Secondary and Middle Schools and meets the standards adopted by the State Board of Elementary and Secondary Education for approval of

Page 54 HOUSE

42nd Day's Proceedings - June 16, 2003

nonpublic schools in Louisiana; or, for students certified to have graduated during the 2002-2003 school year or thereafter, from an out-of-state high school that is accredited by a regional accrediting organization recognized by the United States Department of Education and meets the standards adopted by the State Board of Elementary and Secondary Education for approval of nonpublic schools in Louisiana; or from a high school which has been approved by the United States Department of Defense.

* * *

Q.(1) Notwithstanding any initial student eligibility requirement of this Chapter to the contrary, a student shall be eligible to receive a TOPS-Tech Award pursuant to this Section provided each of the following conditions are met:

(a) The student has been certified by a parent or ~~legal guardian~~ court-ordered custodian to have successfully completed at the twelfth grade level a home study program approved by the State Board of Elementary and Secondary Education. Additionally, the student, if ever enrolled in a Louisiana public high school or nonpublic high school which has been approved by the State Board of Elementary and Secondary Education, must have begun his studies in the approved home study program no later than the conclusion of the tenth grade year.

(b) ~~The student has actually resided in Louisiana or has a parent or legal guardian who has actually resided in Louisiana during the twenty-four months prior to the date that the student's initial application is received by the administering agency. The student meets the citizenship and residency requirements provided in Subparagraph (A)(1)(a) of this Section.~~

* * *

Section 2. R.S. 17:3048.1(M) is hereby repealed in its entirety.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed House Bill No. 549 by Representative Futrell

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and insert in lieu thereof the following: "R.S. 17:3048.1(A)(1)(a)(iii) and (b)(i), and to enact R.S. 17:3048.1(C)(4), relative to the Tuition"

AMENDMENT NO. 2

On page 1, line 4, after "tests;" delete the remainder of the line and insert "; to provide relative to residency requirements of the Tuition Opportunity Program for Students for participation by certain dependent students; to provide that such students who meet specified guidelines shall be residents for award eligibility purposes; to provide for effectiveness; and"

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." delete the remainder of the line and insert "R.S. 17:3048.1(A)(1)(a)(iii) and (b)(i) are hereby amended and reenacted, and R.S. 17:3048.1(C)(4) is hereby enacted"

AMENDMENT NO. 4

On page 1, delete line 11, and insert in lieu thereof the following:

"A.(1) As part of the Louisiana Tuition Opportunity Program for Students, the state shall financially assist any student who enrolls on a full-time basis in a public college or university in this state or a regionally accredited independent college or university in the state that is a member of the Louisiana Association of Independent Colleges or Universities, hereafter in this Chapter referred to collectively as "eligible colleges or universities", to pursue an academic undergraduate degree or, as provided by this Subsection, skill or occupational training as defined by the Board of Regents, including a vocational or technical education certificate or diploma program or a nonacademic undergraduate degree, and who meets the qualifications of Subparagraph (b), (c), or (d) of this Paragraph and all of the applicable following qualifications:

(a)

* * *

(iii) For a student graduating from high school during the 1999-2000 school year or thereafter, is a citizen of the United States and if an independent student, as defined by the administering agency, is a resident of Louisiana or if a dependent student, as defined by the administering agency, has a parent or legal guardian who is a resident of Louisiana during the twenty-four months preceding the date of the student's graduation from high school, or is eligible pursuant to the alternative means of determining residency for dependent students provided by Paragraph (C)(4) of this Section, or is the dependent child of a resident of Louisiana on active duty with the United States armed forces who is stationed outside Louisiana but who claims Louisiana as his home of record and who has filed a Louisiana state income tax return for the most recent two years, or is the dependent child of a nonresident on active duty with the United States armed forces who is stationed in Louisiana under permanent change of station orders and who not later than sixty days after reporting to such station changes his military personnel records to establish Louisiana as his official home of record and complies with Louisiana income tax laws and regulations for the time period while stationed in Louisiana. A student who is not a citizen of the United States but who is eligible to apply for such citizenship shall be deemed to satisfy the citizenship requirement of this Subparagraph if within sixty days after the date the student attains the age of majority, the student applies to become a citizen of the United States and obtains such citizenship within one year after the date of application."

AMENDMENT NO. 5

On page 2, after line 20, insert as follows:

"C.

* * *

(4) For the purpose of determining award eligibility of a dependent student, any such student who meets each of the following guidelines shall be considered a resident:

(a) The student graduates during the 2001-2002 school year or thereafter from a Louisiana public high school or from a nonpublic high school that is approved by the State Board of Elementary and Secondary Education and that meets other applicable requirements of this Section.

(b) The student has been continuously enrolled in and has attended such a school from at least the beginning of the student's junior year in high school through the completion of the student's senior year

in high school as certified by the high school principal or headmaster or his designee.

(c) The student has a parent or legal guardian who meets both of the following requirements:

(i) Is a resident of a state that adjoins Louisiana and resides in a municipality having geographic boundaries that include a portion of the state of Louisiana; and

(ii) Has filed a Louisiana state income tax return and has complied with state income tax laws and regulations, or is assessed ad valorem taxes on property owned in Louisiana.

* * *

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

Rep. Futrell moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Pierre
Alario	Futrell	Pinac
Alexander	Gallot	Pitre
Ansardi	Guillory	Powell
Arnold	Hammett	Richmond
Baldone	Heaton	Romero
Baudoin	Hebert	Salter
Baylor	Hill	Scalise
Beard	Honey	Schneider
Bowler	Hopkins	Schwegmann
Broome	Hudson	Shaw
Bruneau	Hunter	Smith, G.—56th
Capella	Hutter	Smith, J.D.—50th
Carter, R	Iles	Smith, J.H.—8th
Cazayoux	Jackson, L	Smith, J.R.—30th
Crane	Jackson, M	Stelly
Crowe	Johns	Strain
Curtis	Katz	Swilling
Damico	Kenney	Thompson
Daniel	LaFleur	Toomy
Dartez	Lancaster	Townsend
Devillier	LeBlanc	Triche
Diez	Martiny	Tucker
Doerge	McDonald	Waddell
Downer	McVea	Walker
Downs	Montgomery	Walsworth
Durand	Morrish	Welch
Fannin	Murray	Winston
Farrar	Nevers	Wooton
Fauchaux	Odinot	Wright
Flavin	Perkins	
Frith	Psychaud	
Total—94		

NAYS

Total—0

ABSENT

Bruce
Carter, K
Erdey
Glover
Total—11

Green
Kennard
Landrieu
Lucas

Morrell
Quezaire
Sneed

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 557—

BY REPRESENTATIVE PIERRE

AN ACT

To enact R.S. 56:312, relative to freshwater finfish caught by recreational and commercial fishermen; to require that certain features of such fish remain intact while the fish is on the vessel; to provide penalties for violations; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 557 by Representative Pierre

AMENDMENT NO. 1

On page 1, line 2, between "To" and "enact" insert "amend and reenact R.S. 56:325.2(C) and to"

AMENDMENT NO. 2

On page 1, lines 2 and 3, delete "freshwater finfish caught by recreational and commercial fishermen" and insert "recreational fish;"

AMENDMENT NO. 3

On page 1, line 5, between "violations;" and "and to" insert the following:

"to provide for identification of spotted sea trout which are whole and have skin attached;"

AMENDMENT NO. 4

On page 2, below line 1, add the following:

"§325.2. Saltwater recreational fish; total length

* * *

C.(1) The provisions of this Section shall not apply to bait species.

(2) The provisions of this Section shall not apply to spotted sea trout filets possessed by a validly licensed recreational fisherman, which filets are whole and have their skin attached for species identification, and which are in excess of ten inches. Two filets or two pieces of fish shall constitute one fish for purposes of determining possession limits. The provisions of this Paragraph shall not be construed to allow the possession of fish in excess of the possession limits provided by law."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 557 by Representative Pierre

Page 56 HOUSE

42nd Day's Proceedings - June 16, 2003

AMENDMENT NO. 1

In Senate Committee Amendment No. 4 proposed by the Senate Committee on Natural Resources, between lines 14 and 15, insert: "Section 2. R.S. 56:325.2(C) is hereby amended and reenacted to read as follows:"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Romero to Engrossed House Bill No. 557 by Representative Pierre

AMENDMENT NO. 1

On page 1, between lines 13 and 14, insert the following:

"(2) Catfish.

(3) Buffalo.

(4) German Carp."

AMENDMENT NO. 2

On page 1, line 14, change "(2)" to "(5)"

AMENDMENT NO. 3

On page 1, line 15, change "(3)" to "(6)"

Rep. Pierre moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Perkins
Alario	Fruge	Peychaud
Alexander	Futrell	Pierre
Ansardi	Gallot	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Doerge	Martiny	Tucker
Downer	McDonald	Waddell
Downs	McVea	Walker
Durand	Montgomery	Walsworth
Erdey	Morrell	Welch

Flavin	Odinet	Winston
Fannin	Morrish	Wooton
Farrar	Murray	Wright
Faucheux	Nevers	
Total—98		

NAYS

Total—0

ABSENT

Carter, K	Kennard	Strain
Glover	Landrieu	
Green	Quezaire	
Total—7		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 972—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:402(B)(1)(a), relative to drivers' licenses; to authorize the operator of a motor vehicle to drive without a driver's license under certain circumstances; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 972 by Representative Diez

AMENDMENT NO. 1

On page 2, line 1, after "when" delete the remainder of the line and on line 2, delete "is being administered the" and insert:

"an office of motor vehicle agent or employee is administering an"

Rep. Diez moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Odinet
Alario	Frith	Perkins
Alexander	Fruge	Peychaud
Ansardi	Futrell	Pinac
Arnold	Gallot	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, R	Hutter	Smith, J.D.—50th
Cazayoux	Iles	Smith, J.H.—8th

Crane	Jackson, L	Smith, J.R.—30th
Crowe	Jackson, M	Sneed
Curtis	Johns	Stelly
Damico	Katz	Swilling
Daniel	Kenney	Thompson
Dartez	LaFleur	Toomy
Devillier	Lancaster	Townsend
Diez	LeBlanc	Triche
Doerge	Martiny	Waddell
Downer	McDonald	Walker
Downs	McVea	Welch
Durand	Montgomery	Winston
Erdey	Morrell	Wooton
Fannin	Morrish	Wright
Farrar	Murray	
Faucheux	Nevers	
Total—94		

NAYS

Total—0

ABSENT

Carter, K	Landrieu	Strain
Glover	Lucas	Tucker
Green	Pierre	Walsworth
Kennard	Quezaire	
Total—11		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1017—

BY REPRESENTATIVE DEVILLIER
AN ACT

To enact Code of Criminal Procedure Article 905.5.1, relative to sentencing in capital cases; to prohibit the imposition of capital punishment upon mentally retarded persons; to provide for the procedure to be used when there is a claim of mental retardation; to provide for the filing of motions; to provide for the burden of proof; to provide for hearings; to provide for a waiver of confidentiality; to provide for definitions; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Lentini to Engrossed House Bill No. 1017 by Representative Devillier (duplicate of Senate Bill No. 244)

AMENDMENT NO. 1

On page 1, line 13, after "A." change "No" to "Notwithstanding any other provisions of law to the contrary, no"

AMENDMENT NO. 2

On page 1, line 16, after "period" insert "for filing of pretrial motions as"

AMENDMENT NO. 3

On page 2, line 1, after "C." delete "(1)" and after "defendant" delete the remainder of the line and insert "in a capital case making a claim of mental retardation shall prove the"

AMENDMENT NO. 4

On page 2, line 4, after "hearing" insert "unless the state and the defendant agree that the issue is to be tried by the judge"

AMENDMENT NO. 5

On page 2, delete lines 7 through 10

AMENDMENT NO. 6

On page 2, line 19, after "notice" insert "relative to a claim of mental retardation"

AMENDMENT NO. 7

On page 3, line 1, after "of mental retardation"

AMENDMENT NO. 8

On page 3, line 11, after "opinion" delete the remainder of the line and insert "that the defendant is not mentally retarded."

AMENDMENT NO. 9

On page 3, delete lines 12 and 13

AMENDMENT NO. 10

On page 3, line 14, after "defendant" insert "making a claim of mental retardation"

AMENDMENT NO. 11

On page 3, line 15, after "pursuant to" change "Subsection D" to "Paragraph (D)"

AMENDMENT NO. 12

On page 3, at the beginning of line 17, change "paragraph D or F" to "either Paragraph (D) or (F)" and after "Article" delete ", upon motion by the district attorney."

AMENDMENT NO. 13

On page 3, at the end of line 26, delete "autism, learning" and insert the following:

"(a) Autism.

(b) Learning disabilities.

(c) Mental illness.

(d) Organic brain damage occurring after age eighteen.

(e) Traumatic brain damage occurring after age eighteen.

(f) Emotional disturbance.

(g) Behavioral disorders.

(h) Sensory impairments.

(i) Epilepsy and other seizure disorders.

(j) Speech and language disorders.

(k) Cerebral palsy and other motor deficits.

Page 58 HOUSE

42nd Day's Proceedings - June 16, 2003

(l) Neurological disorders.

(m) Personality disorders.

(n) Lack of educational opportunities.

(o) Emotional stress in home or school.

(p) Difficulty in adjusting to school.

(q) A temporary crisis situation.

(r) Environmental, cultural, or economic disadvantage.

(s) Other handicapping conditions."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1017 by Representative Devillier

AMENDMENT NO. 1

In Senate Conforming Amendment No. 8 proposed by Senator Lentini and adopted by the Senate on June 2, 2003, on page 1, line 19, after "after" insert "'claim" insert"

AMENDMENT NO. 2

In Senate Conforming Amendment No. 14 proposed by Senator Lentini and adopted by the Senate on June 2, 2003, on page 2, line 9, following "'autism, learning'" insert "and on page 4, delete lines 1 through 9 in their entirety"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed House Bill No. 1017 by Representative Devillier

AMENDMENT NO. 1

In Senate Conforming Amendments proposed by Senator Lentini and adopted by the Senate on June 2, 2003, delete Conforming Amendment No. 6 and in Conforming Amendment No. 4, on page 1, line 7, after "line 1, " delete "after "C." delete "(1)" and"

AMENDMENT NO. 2

In Senate Conforming Amendment No. 10 proposed by Senator Lentini and adopted by the Senate on June 2, 2003, on page 1, line 24, after "page 3," change "delete lines 12 and 13" to " at the beginning of line 12, delete "retardation."

AMENDMENT NO. 3

In Senate Conforming Amendment No. 13 proposed by Senator Lentini and adopted by the Senate on June 2, 2003, on page 2, line 6, after "(F)" delete the remainder of the line and delete line 7

Rep. Devillier moved that the amendments proposed by the Senate be concurred in.

As a substitute motion, Rep. Hunter moved that the amendments proposed by the Senate be rejected.

Rep. Devillier objected.

The vote recurred on the substitute motion.

ROLL CALL

The roll was called with the following result:
YEAS

Mr. Speaker	Green	Powell
Alario	Guillory	Quezaire
Arnold	Hammett	Richmond
Beard	Honey	Romero
Bowler	Hunter	Scalise
Broome	Hutter	Schneider
Bruce	Jackson, L	Schwegmann
Crane	Jackson, M	Smith, J.H.—8th
Crowe	Kenney	Smith, J.R.—30th
Curtis	LeBlanc	Sneed
Damico	Lucas	Swilling
Daniel	McVea	Toomy
Diez	Montgomery	Triche
Erdey	Murray	Waddell
Farrar	Nevers	Walker
Futrell	Odinet	Winston
Gallot	Perkins	Wright
Glover	Pitre	
Total—53		

NAYS

Alexander	Faucheux	Morrish
Ansardi	Flavin	Peychaud
Baldone	Frith	Pierre
Baudoin	Fruge	Salter
Bruneau	Heaton	Shaw
Capella	Hebert	Smith, G.—56th
Carter, K	Hill	Smith, J.D.—50th
Carter, R	Hopkins	Stelly
Cazayoux	Iles	Strain
Dartez	Johns	Thompson
Devillier	Katz	Townsend
Doerge	LaFleur	Tucker
Downer	Lancaster	Walsworth
Downs	Landrieu	Welch
Durand	Martiny	Wooton
Fannin	Morrell	
Total—47		

ABSENT

Baylor	Kennard	Pinac
Hudson	McDonald	
Total—5		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 689—

BY REPRESENTATIVES FARRAR AND DEWITT
AN ACT

To enact Chapter 5-I of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.61 through 380.66, and R.S. 36:744(T) and 801.13, to create the Tioga Heritage Park and Museum; to provide for a museum governing board including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 689 by Representative Farrar

AMENDMENT NO. 1

On page 2, line 24, after "by" insert "the secretary of state from a list of nominees provided by"

AMENDMENT NO. 2

On page 9, delete lines 7 through 11

AMENDMENT NO. 3

On page 9, line 12, delete "regulations."

Rep. Farrar moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Nevers
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kenney	Swilling
Dartez	LaFleur	Thompson
Diez	Lancaster	Toomy
Doerge	Landrieu	Townsend
Downer	LeBlanc	Triche
Downs	Lucas	Tucker
Durand	Martiny	Waddell
Erdey	McDonald	Walker
Fannin	McVea	Walsworth
Farrar	Montgomery	Welch
Faucheux	Morrell	Winston
Flavin	Morrish	Wooton
Frith	Murray	Wright
Total—99		

NAYS

Total—0

ABSENT

Daniel	Kennard	Pinac
Devillier	Odinot	Sneed
Total—6		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1020—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 37:1281(A), relative to fees of physicians and surgeons, and allied health care professionals; to authorize the Louisiana State Board of Medical Examiners to establish and modify the fee schedule for any license, certificate, permit, or registration that it is authorized by law to issue; to provide for the recovery of costs associated with certain administrative functions of the board; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Schedler to Engrossed House Bill No. 1020 by Representative Durand (Duplicate of Senate Bill No. 417)

AMENDMENT NO. 1

On page 1, line 3, change "authorize" to "permit"

AMENDMENT NO. 2

On page 1, line 4, after "modify" add ", by rule,"

AMENDMENT NO. 3

On page 1, line 5, between "schedule" and "for" insert the following:

"within the maximum provided by law"

AMENDMENT NO. 4

On page 1, line 6, between "issue;" and "to provide" insert the following:

"to provide relative to fees and costs relative to the licensing of physicians, podiatrists, physician assistants, midwife practitioners, registered or certified respiratory therapists, occupational therapists or occupational therapy assistants, clinical laboratory scientists, clinical exercise physiologists, athletic trainers, acupuncturists or acupuncturist's assistants, private radiological technologists, and dispensing physicians;"

AMENDMENT NO. 5

On page 1, line 7, between "board;" and "and to" insert the following:

"to provide for an effective date;"

AMENDMENT NO. 6

On page 4, line 4, change "(4)" to "(c)"

AMENDMENT NO. 7

On page 4, line 9, change "(5)" to "(d)"

AMENDMENT NO. 8

On page 4, line 12, change "(a)" to "(i)"

Page 60 HOUSE

42nd Day's Proceedings - June 16, 2003

AMENDMENT NO. 9

On page 4, line 14, "(b)" to "(ii)"

AMENDMENT NO. 10

On page 4, line 16, change "(c)" to "(iii)"

AMENDMENT NO. 11

On page 4, line 18, change "(d)" to "(iv)"

AMENDMENT NO. 12

On page 4, line 21, change "(e)" to "(v)"

AMENDMENT NO. 13

On page 4, line 22, change "(f)" to "(vi)"

AMENDMENT NO. 14

On page 4, line 24, change "(g)" to "(vii)"

AMENDMENT NO. 15

On page 5, line 3, change "(h)" to "(viii)"

AMENDMENT NO. 16

On page 5, line 5, change "(i)" to "(ix)"

AMENDMENT NO. 17

On page 5, line 7, change "(j)" to "(x)"

AMENDMENT NO. 18

On page 5, line 9, change "(k)" to "(xi)"

AMENDMENT NO. 19

On page 5, line 12, change "(l)" to "(xii)"

AMENDMENT NO. 20

On page 5, line 14, change "(m)" to "(xiii)"

AMENDMENT NO. 21

On page 5, line 16, change "(n)" to "(xiv)"

AMENDMENT NO. 22

On page 5, line 19, change "(6)" to "(4)"

AMENDMENT NO. 23

On page 5, line 25, change "(7)" to "(5)"

AMENDMENT NO. 24

On page 6, line 4, between "3312," and "R.S. 37:1356" insert "and"

AMENDMENT NO. 25

On page 6, line 5, delete "or R.S. 37:1292."

AMENDMENT NO. 26

On page 6, line 5, change "this Section" to "R.S. 37:1281"

Rep. Durand moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Peychaud
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Schneider
Broome	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, K	Hutter	Smith, J.D.—50th
Carter, R	Iles	Smith, J.H.—8th
Cazayoux	Jackson, L	Smith, J.R.—30th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downer	Martiny	Waddell
Downs	McDonald	Walker
Durand	McVea	Walsworth
Erdey	Montgomery	Welch
Fannin	Morrell	Winston
Farrar	Morrish	Wooton
Faucheux	Murray	Wright
Flavin	Nevers	
Frith	Perkins	
Total—100		

NAYS

Scalise
Total—1

ABSENT

Bruce	Kennard
Glover	Odinot
Total—4	

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

HOUSE BILL NO. 1078—

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 40:35, 40(3), 52, and 54 and to repeal R.S. 40:40(7), relative to the fee for certified copies of vital records; to provide for an increase in fees for the issuance of an initial certified copy of a death certificate issued to a funeral director; to provide for burial transit permits for bodies to be cremated or removed from the state; to provide for the prerequisites for such a certificate; to provide relative to failure to complete medical

certification; to provide for prerequisites for permits; to remove the fee for burial permits; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Schedler to Reengrossed House Bill No. 1078 by Representative Durand (Duplicate of Senate Bill No. 385)

AMENDMENT NO. 1

On page 2, line 6, after "issued" delete the remainder of the line.

AMENDMENT NO. 2

On page 2, line 13, delete "certified copy of a"

AMENDMENT NO. 3

On page 2, line 17, delete "cremation."

AMENDMENT NO. 4

On page 2, line 19, between "before" and "removing" insert "cremation or"

AMENDMENT NO. 5

On page 2, line 24, delete "cremated,"

AMENDMENT NO. 6

On page 3, line 1, between "be" and "removed" insert "cremated or"

AMENDMENT NO. 7

On page 3, line 7, change "shall" to "may"

AMENDMENT NO. 8

On page 3, line 9, delete "cremation,"

AMENDMENT NO. 9

On page 3, line 11, between "by" and "removal" insert "cremation or"

AMENDMENT NO. 10

On page 3, line 15, change "a local" to "the local"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Re-rengrossed House Bill No. 1078 by Representative Durand

AMENDMENT NO. 1

Delete Senate Conforming Amendments adopted June 2, 2003.

Rep. Durand moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gallot	Pierre
Alario	Green	Pinac
Alexander	Guillory	Pitre
Ansardi	Hammett	Powell
Arnold	Heaton	Quezaire
Baldone	Hebert	Richmond
Baudoin	Hill	Romero
Baylor	Honey	Salter
Bowler	Hopkins	Schneider
Broome	Hudson	Schwegmann
Bruce	Hunter	Shaw
Bruneau	Hutter	Smith, G.—56th
Capella	Iles	Smith, J.D.—50th
Carter, K	Jackson, L	Smith, J.H.—8th
Carter, R	Jackson, M	Smith, J.R.—30th
Cazayoux	Johns	Sneed
Crane	Katz	Stelly
Curtis	Kenney	Swilling
Damico	LaFleur	Thompson
Dartez	Lancaster	Toomy
Diez	Landrieu	Townsend
Doerge	LeBlanc	Triche
Downer	Lucas	Tucker
Downs	Martiny	Waddell
Durand	McDonald	Walker
Erdey	McVea	Walsworth
Fannin	Montgomery	Welch
Farrar	Morrell	Winston
Faucheux	Morrish	Wooton
Flavin	Murray	Wright
Frith	Nevers	
Fruge	Perkins	
Futrell	Peychaud	
Total—97		

NAYS

Crowe	Scalise
Total—1	

ABSENT

Beard	Glover	Strain
Daniel	Kennard	
Devillier	Odinot	
Total—7		

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

HOUSE BILL NO. 1090—

BY REPRESENTATIVE R. CARTER

AN ACT

To enact R.S. 33:1236.27, relative to St. Helena Parish; to authorize the governing authority of the parish to enter into a cooperative endeavor with the St. Helena Parish Hospital Service District Number One for the public purpose of providing health care; to authorize the parish governing authority to provide financial support out of general funds of the parish or other available funds; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Page 62 HOUSE

42nd Day's Proceedings - June 16, 2003

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 1090 by Representative R. Carter

AMENDMENT NO. 1

On page 1, at the beginning of line 2, between "To" and "enact" insert "amend and reenact R.S. 33:1236(32) and to" and change "St. Helena Parish" to "the powers of certain parish governing authorities; to authorize the governing authorities of St. Helena, St. Tammany, and Washington parishes to operate, regulate, or subsidize ambulance services"

AMENDMENT NO. 2

On page 1, line 3, change "the parish" to "St. Helena Parish"

AMENDMENT NO. 3

On page 1, between lines 11 and 12 insert the following:

"Section 1. R.S. 33:1236(32) is hereby amended and reenacted to read as follows:

§1236. Powers of parish governing authorities

The police juries and other parish governing authorities shall have the following powers:

* * *

(32) To operate an ambulance service in its own capacity as governing authority or to contract for the operation of such service by others and to regulate and subsidize the operation by others, or to operate the service in cooperation with other agencies or municipalities. The provisions of this Paragraph shall not apply in the parishes of ~~St. Tammany, Washington, St. Helena, and~~ Jefferson. In addition, the governing authority of Livingston Parish may regulate the operation of any ambulance service in the parish.

* * *"

AMENDMENT NO. 4

On page 1, line 12, change "1" to "2"

AMENDMENT NO. 5

On page 2, line 7, change "2" to "3"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed House Bill No. 1090 by Representative Robert Carter

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on June 1, 2003, on page 1, delete line 3 in its entirety and insert in lieu thereof the following:

"and reenact R.S. 33:1236(32) and 2011(B) and to" and change "St. Helena Parish" to "municipalities and parishes; to provide for the"

AMENDMENT NO. 2

On Page 1, line 7 after "funds;" insert:

"to provide for the classification of certain types of cancer as occupational diseases or infirmities connected with the duties of a firefighter;"

AMENDMENT NO. 3

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on June 1, 2003, on page 1, line 11 delete "is" and insert in lieu thereof "and 2011(B) are" and between lines 25 and 26 insert the following:

"§2011. Development of cancer during employment in fire service; occupational disease

* * *

B. The disabling cancer referred to in Subsection A shall be limited to the type of cancers which may be caused by exposure to heat, smoke, radiation, or a known or suspected carcinogen as defined by the International Agency for Research on Cancer. The disabling cancer shall be limited to a cancer originating in the bladder, brain, colon, liver, pancreas, skin, or gastrointestinal tract, or kidney, and lymphoma, multiple myeloma, and leukemia.

* * *"

Point of Order

Rep. Daniel asked for a ruling from the Chair as to whether the Senate amendments were germane to the subject matter contained in the bill as introduced.

Ruling of the Chair

The Chair declined to rule as to whether the Senate Amendments were germane to the subject matter contained in the bill as introduced.

Rep. Robert Carter moved that the amendments proposed by the Senate be concurred in.

As a substitute motion, Rep. Daniel moved that the amendments proposed by the Senate be rejected.

Rep. Robert Carter objected.

The vote recurred on the substitute motion.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Durand	Odinot
Alario	Fannin	Pierre
Alexander	Flavin	Pinac
Ansardi	Frith	Pitre
Baldone	Green	Powell
Baylor	Hammett	Quezaire
Beard	Hopkins	Schneider
Bowler	Hudson	Shaw
Bruneau	Iles	Smith, J.R.—30th
Carter, K	Johns	Sneed
Crane	Katz	Stelly
Curtis	Kenney	Thompson
Damico	LaFleur	Townsend
Daniel	Lancaster	Tucker
Devillier	LeBlanc	Walker

Diez	Martiny	Walsworth
Doerge	McVea	Winston
Downer	Montgomery	
Downs	Morrish	
Total—55		
NAYS		
Arnold	Guillory	Salter
Baudoin	Heaton	Scalise
Broome	Hebert	Schwegmann
Bruce	Hill	Smith, G.—56th
Capella	Honey	Smith, J.D.—50th
Carter, R	Hunter	Smith, J.H.—8th
Cazayoux	Hutter	Strain
Crowe	Jackson, L	Swilling
Dartez	Jackson, M	Toomy
Erdey	Morrell	Triche
Farrar	Murray	Waddell
Faucheux	Nevers	Wooton
Früge	Psychaud	Wright
Futrell	Richmond	
Gallot	Romero	
Total—43		
ABSENT		
Glover	Lucas	Welch
Kennard	McDonald	
Landrieu	Perkins	
Total—7		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 1096—

BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 44:4(37), relative to records of the office of conservation; to exempt certain records from public records laws; to provide terms and conditions; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Engrossed House Bill No. 1096 by Representative Thompson

AMENDMENT NO. 1

On page 1, line 13, after "conservation" change "pertaining to" to "contained in"

AMENDMENT NO. 2

On page 1, line 14, change "undertaken in prevention of" to "developed to prevent"

AMENDMENT NO. 3

On page 1, line 15, after "including" delete "but not limited to"

Rep. Thompson moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pierre
Alario	Früge	Pinac
Alexander	Futrell	Pitre
Ansardi	Gallot	Powell
Arnold	Green	Quezaire
Baldone	Guillory	Richmond
Baudoin	Hammett	Romero
Baylor	Heaton	Salter
Beard	Hebert	Scalise
Bowler	Hill	Schneider
Broome	Honey	Schwegmann
Bruce	Hopkins	Shaw
Bruneau	Hunter	Smith, G.—56th
Capella	Hutter	Smith, J.D.—50th
Carter, K	Iles	Smith, J.H.—8th
Carter, R	Jackson, L	Smith, J.R.—30th
Cazayoux	Jackson, M	Sneed
Crane	Johns	Stelly
Crowe	Katz	Strain
Curtis	Kenney	Swilling
Damico	LaFleur	Thompson
Daniel	Lancaster	Toomy
Dartez	LeBlanc	Townsend
Devillier	Lucas	Triche
Diez	Martiny	Tucker
Doerge	McDonald	Waddell
Downer	McVea	Walker
Downs	Montgomery	Walsworth
Durand	Morrell	Welch
Erdey	Morrish	Winston
Fannin	Murray	Wooton
Farrar	Nevers	Wright
Faucheux	Odinot	
Flavin	Psychaud	
Total—100		

NAYS

Total—0

ABSENT

Glover	Kennard	Perkins
Hudson	Landrieu	
Total—5		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1468—

BY REPRESENTATIVE SCHWEGMANN
AN ACT

To enact R.S. 56:6(30), relative to nonhuman primates; to provide that the Department of Wildlife and Fisheries shall promulgate rules and regulations regarding the purchase and possession of nonhuman primates; to provide for issuance of certain permits; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Reengrossed House Bill No. 1468 by Representative Schwegmann

Page 64 HOUSE

42nd Day's Proceedings - June 16, 2003

AMENDMENT NO. 1

On page 1, line 13, delete "reptiles" and insert in lieu thereof "constrictors or venomous snakes"

Rep. Schwegmann moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Perkins
Alario	Fruge	Psychaud
Alexander	Futrell	Pierre
Ansardi	Gallot	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Darte	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	Montgomery	Walker
Erdey	Morrell	Walsworth
Fannin	Morrish	Welch
Farrar	Murray	Winston
Faucheux	Nevers	Wooton
Flavin	Odinet	Wright
Total—102		

NAYS

Total—0

ABSENT

Glover	Kennard	McVea
Total—3		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 1496—

BY REPRESENTATIVES DOWNER, ARNOLD, CURTIS, DIEZ, ERDEY, FUTRELL, HUTTER, ILES, KENNARD, POWELL, QUEZAIRE, SHAW, AND TUCKER

AN ACT

To amend and reenact R.S. 44:4.1(B)(19) and to enact Subpart E of Part VIII of Chapter 1 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:340.21, relative to port commissions, districts, and authorities; to require port

commissions, districts, and authorities to implement a port security and safety plan for maritime facilities and vessels; to require said commissions, districts, and authorities to enter into cooperative endeavor agreements with certain federal, state, local, and other governmental agencies for implementation of such plan; to provide that security and safety plans be exempted from public records law; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 1496 by Representative Downer

AMENDMENT NO. 1

On page 3, line 8, after "business" insert "from public entities" and after "through the" insert "public"

AMENDMENT NO. 2

On page 3, line 9, after "fees paid" insert "by a public entity"

Rep. Downer moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pierre
Alario	Futrell	Pinac
Alexander	Gallot	Pitre
Ansardi	Green	Powell
Arnold	Guillory	Quezaire
Baldone	Hammett	Richmond
Baudoin	Heaton	Romero
Baylor	Hebert	Salter
Beard	Hill	Scalise
Bowler	Honey	Schneider
Broome	Hopkins	Schwegmann
Bruce	Hudson	Shaw
Bruneau	Hunter	Smith, G.—56th
Capella	Iles	Smith, J.D.—50th
Carter, K	Jackson, L	Smith, J.H.—8th
Carter, R	Jackson, M	Smith, J.R.—30th
Cazayoux	Johns	Sneed
Crane	Katz	Stelly
Crowe	Kenney	Strain
Curtis	LaFleur	Swilling
Damico	Lancaster	Thompson
Daniel	Landrieu	Toomy
Darte	LeBlanc	Townsend
Devillier	Lucas	Triche
Diez	Martiny	Tucker
Doerge	McDonald	Waddell
Downer	McVea	Walker
Downs	Montgomery	Walsworth
Durand	Morrell	Welch
Erdey	Morrish	Winston
Fannin	Murray	Wooton
Farrar	Nevers	Wright

Faucheux
Flavin
Total—100

Odinet
Peychaud

NAYS

Total—0

ABSENT

Fruge
Glover
Total—5

Hutter
Kennard

Perkins

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1643—

BY REPRESENTATIVE GUILLORY

AN ACT

To amend and reenact R.S. 23:151, 182, 183, 188, and 215 and to repeal R.S. 23:189, relative to the employment of minors; to repeal certain exemptions from application of current statutory provisions; to delete references to work permits; to require electronic filing of applications for employment certificates; to repeal the requirement for a duplicate filing with the secretary; to adjust work hours during which minors can work; to repeal the requirement for different colored certificates issued based upon age of the applicant; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Reengrossed House Bill No. 1643 by Representative Guillory

AMENDMENT NO. 1

On page 3, line 16, after "minor" insert "who has not graduated from high school"

AMENDMENT NO. 2

On page 3, line 23, after "age" insert "who has not graduated from high school"

AMENDMENT NO. 3

On page 4, line 1, between "age" and "shall" insert "who has not graduated from high school"

AMENDMENT NO. 4

On page 4, line 5, between "age" and "shall" insert "who has not graduated from high school"

Rep. Guillory moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker

Futrell

Pierre

Alario
Alexander
Ansardi
Arnold
Baldone
Baudoin
Beard
Bowler
Broome
Bruce
Bruneau
Capella
Carter, K
Carter, R
Cazayoux
Crane
Crowe
Curtis
Damico
Daniel
Dartez
Devillier
Diez
Doerge
Downer
Downs
Durand
Erdey
Farrar
Faucheux
Flavin
Frith
Fruge
Total—100

Gallot
Green
Guillory
Hammett
Heaton
Hebert
Hill
Honey
Hopkins
Hudson
Hunter
Hutter
Iles
Jackson, L
Jackson, M
Johns
Katz
Kenney
LaFleur
Lancaster
Landrieu
LeBlanc
Lucas
Martiny
McDonald
McVea
Montgomery
Morrell
Morrish
Nevers
Odinet
Perkins
Peychaud

Pinac
Pitre
Powell
Quezaire
Richmond
Romero
Salter
Scalise
Schneider
Schwegmann
Shaw
Smith, G.—56th
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
Sneed
Stelly
Strain
Swilling
Thompson
Toomy
Townsend
Triche
Tucker
Waddell
Walker
Walsworth
Welch
Winston
Wooton
Wright

NAYS

Total—0

ABSENT

Baylor
Fannin
Total—5

Glover
Kennard

Murray

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1686—

BY REPRESENTATIVES DEWITT, CRANE, FUTRELL, KATZ, PITRE, SHAW, TUCKER, DOWNER, AND MCDONALD

AN ACT

To enact R.S. 17:416.1(D) and R.S. 32:407(E) and 431, relative to drivers' licenses and learners' licenses; to prohibit issuance of a license for one year to a student who is expelled or suspended from school for ten or more consecutive school days for committing certain infractions or who withdraws from school under certain circumstances; to require notification to the office of motor vehicles when a student is expelled or suspended from school or withdraws from school under certain circumstances; to provide for suspension of a driver's license; to require notification of such suspension; to allow reinstatement of driving privileges under certain circumstances; to provide for an appeal process; to provide for hardship; to prohibit an increase in insurance rates due to such license suspension; to provide for the promulgation of rules; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

Page 66 HOUSE

42nd Day's Proceedings - June 16, 2003

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Reengrossed House Bill No. 1686 by Representative Dewitt

AMENDMENT NO. 1

On page 2, line 11, after "school board" insert a comma "," and delete the remainder of the line and delete lines 12 through 15, and insert:

"limited to expulsions, suspensions, and assignments to alternative educational settings for infractions involving the sale"

AMENDMENT NO. 2

On page 2, line 17, delete "assault, battery, or" and on line 18, delete "fighting" and insert "assault or battery on a member of the school faculty or staff"

AMENDMENT NO. 3

On page 2, line 20, after "Section." delete the remainder of the line and delete lines 21 through 25

AMENDMENT NO. 4

On page 3, line 25, after "school board" insert a comma "," and delete the remainder of the line and delete line 26, and on page 4, delete lines 1 through 3, and insert:

"limited to expulsions, suspensions, and assignments to alternative educational settings for infractions involving the sale"

AMENDMENT NO. 5

On page 4, line 5, delete "assault, battery, or" and on line 6, delete "fighting" and insert "assault or battery on a member of the school faculty or staff"

AMENDMENT NO. 6

On page 4, line 8, after "Section." delete the remainder of the line and delete lines 9 through 13

AMENDMENT NO. 7

On page 5, line 20, after "(2)" insert "(a)"

AMENDMENT NO. 8

On page 5, delete lines 21 through 23, and on line 24, delete "Subsection." and insert:

"the occurrence of the first of the following:

(i) The receipt by the department of the operator's license.

(ii) Thirty days after the date the notice of suspension is mailed to the licensee by the department as provided in Paragraph (1) of this Subsection, or the receipt of a written notice of the disposition of an application for hardship driving privileges if it was applied for prior to the beginning of the suspension pursuant to Subsection D of this Section, whichever occurs last.

(b)"

AMENDMENT NO. 9

On page 6, line 3, change "After the first thirty days" to "Prior to or after the start"

AMENDMENT NO. 10

On page 6, line 19, change "receipt" to "the date"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Theunissen to Reengrossed House Bill No. 1686 by Representative DeWitt

AMENDMENT NO. 1

In Senate Committee Amendment No. 8, proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on June 1, 2003:

On page 2, line 2, change "operator's" to "driver's"

On page 2, line 4, change "licensee" to "student"

AMENDMENT NO. 2

On page 1, line 3, change "prohibit issuance" to "provide for issuance and immediate suspension"

AMENDMENT NO. 3

On page 3, line 3, delete "denied or"

AMENDMENT NO. 4

On page 3, line 16, after "eighteen" delete the remainder of the line, and delete line 17, and insert:

"may be granted such a license if he is otherwise qualified, but such license shall be immediately suspended if the minor is subject to the suspension provided for in R.S. 32:431. The license shall be suspended for the time period provided for in that Section, but the minor may apply for a hardship license pursuant to that Section."

AMENDMENT NO. 5

On page 3, line 20, delete "denial or"

AMENDMENT NO. 6

On page 4, line 18, after "upon" insert "receipt of"

AMENDMENT NO. 7

On page 4, line 20, after "shall" delete the remainder of the line, and delete lines 21 through 23, and on line 24, delete "this Section." and insert:

"take the following action with respect to the student if he is an unemancipated minor between fifteen years of age and eighteen years of age:

(a) If the student has a driver's license, the department shall suspend the driver's license for a period of one year beginning as provided for in Subsection C of this Section.

(b) If the student has not obtained a driver's license, or if he applies for a different driver's license, any license which he obtains during the period of one year beginning as provided for in Subsection C of this Section shall be immediately suspended for the duration of such one-year period.

(2)"

AMENDMENT NO. 8On page 4, line 26, change "licensee's" to "student's"AMENDMENT NO. 9On page 5, line 2, change "licensee" to "student"AMENDMENT NO. 10On page 5, lines 3 and 24, change "licensee's" to "student's"AMENDMENT NO. 11

On page 5, delete lines 4 through 8

AMENDMENT NO. 12

On page 5, line 9, after "(1)" insert "(a)"

AMENDMENT NO. 13On page 5, line 10, after "notice" insert "of the following"AMENDMENT NO. 14On page 5, lines 11 and 26 and on page 6, line 1, change "licensee" to "student"AMENDMENT NO. 15On page 5, line 12, change "licensee's" to "student's"AMENDMENT NO. 16On page 5, line 13, after "parent" insert a colon ":" and change "that his license" to the following:"(i) That any license he holds"AMENDMENT NO. 17On page 5, line 16, after "suspension," insert:"(ii) That if he does not hold a license, any license he may obtain during one year from the thirtieth day of the date the notice was mailed shall be immediately suspended for the remainder of such year."

(b)"

AMENDMENT NO. 18On page 5, line 18, change "licensee's" to "student's"AMENDMENT NO. 19On page 5, line 19, after "hearing" insert "or a hardship license" and change "Subsection F" to "Subsections D and F"AMENDMENT NO. 20

On page 6, at the end of line 10, insert:

"Such driving privileges shall not exceed those granted by the license that was suspended."AMENDMENT NO. 21On page 6, line 11, delete "denied or" and at the end of the line insert "to"AMENDMENT NO. 22On page 6, line 20, after "Section" delete the remainder of the line and delete lines 21 and 22, and insert "the student may request"AMENDMENT NO. 23On page 7, line 5, change "licensee" to "student"AMENDMENT NO. 24On page 7, line 6, change "licensee or applicant" to "student"AMENDMENT NO. 25On page 7, line 10, after "hearing," insert "The license shall not be suspended until completion of the administrative hearing," and change "licensee" to "student"AMENDMENT NO. 26

On page 7, delete line 13 and 14, and insert:

"suspension provided for in this Section."

Rep. Crane moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Nevers
Alario	Frith	Perkins
Alexander	Fruge	Peychaud
Ansardi	Futrell	Pierre
Arnold	Gallot	Pinac
Baldone	Green	Pitre
Baudoin	Guillory	Powell
Baylor	Hammett	Quezaire
Beard	Heaton	Richmond
Bowler	Hebert	Romero
Broome	Hill	Salter
Bruneau	Honey	Scalise
Capella	Hudson	Schneider
Carter, K	Hunter	Schwegmann
Carter, R	Hutter	Shaw
Cazayoux	Iles	Smith, J.D.—50th
Crane	Jackson, L	Smith, J.H.—8th
Crowe	Jackson, M	Smith, J.R.—30th
Curtis	Johns	Sneed
Damico	Katz	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Lancaster	Thompson
Diez	Landrieu	Townsend
Doerge	LeBlanc	Triche
Downer	Lucas	Tucker
Downs	Martiny	Walker
Durand	McDonald	Walsworth
Erdey	McVea	Winston
Farrar	Montgomery	Wooton
Faucheux	Morrish	Wright
Total—93		

Page 68 HOUSE

42nd Day's Proceedings - June 16, 2003

NAYS

Morrell	Smith, G.—56th	Welch
Murray	Toomy	
Total—5		

ABSENT

Bruce	Hopkins	Waddell
Fannin	Kennard	
Glover	Odinet	
Total—7		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1321—

BY REPRESENTATIVE K. CARTER

AN ACT

To enact Part LVI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.171 and 1300.172, relative to environmental health surveillance; to provide for purpose of environmental health surveillance; to provide for objective; to provide for creation of a working group; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 1321 by Representative K. Carter

AMENDMENT NO. 1

On page 1, line 16 delete "environmental exposures" and insert "environmental factors, including physical, chemical, biological, and social factors"

AMENDMENT NO. 2

On page 1, line 17 delete "prevalence and determinants of chronic diseases" and insert "disease trends and research"

AMENDMENT NO. 3

On page 2, delete lines 4 and 5 and insert "(1) To track and evaluate environmental factors, including physical, chemical, biological, and social factors, that may play a role in the development of certain chronic diseases."

AMENDMENT NO. 4

On page 2, delete lines 6 through 8 and insert "(2) To develop data in a standardized format for optimal use with other public health databases and to allow government, university, and public health officials to develop hypotheses for research on the potential impact of environmental factors on chronic diseases."

AMENDMENT NO. 5

On page 2, delete line 17 and insert "experts in epidemiology, public health, and environmental health"

AMENDMENT NO. 6

On page 2, delete line 18 and on line 19 delete "populations to environmental hazards"

AMENDMENT NO. 7

On page 3, line 7 delete "environment" and insert "physical, chemical, biological, and socioeconomic environment"

Rep. Karen Carter moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Peychaud
Alario	Gallot	Pierre
Alexander	Green	Pinac
Ansardi	Guillory	Pitre
Arnold	Hammett	Powell
Baldone	Heaton	Quezaire
Baudoin	Hebert	Richmond
Baylor	Hill	Romero
Broome	Honey	Salter
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, M	Smith, J.D.—50th
Cazayoux	Johns	Smith, J.H.—8th
Crane	Katz	Smith, J.R.—30th
Crowe	Kenney	Stelly
Curtis	LaFleur	Strain
Damico	Lancaster	Swilling
Daniel	Landrieu	Thompson
Darte	LeBlanc	Toomy
Devillier	Lucas	Townsend
Diez	Martiny	Triche
Doerge	McDonald	Tucker
Downer	Montgomery	Walker
Downs	Morrell	Welch
Durand	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Nevers	Wright
Flavin	Odinet	
Frith	Perkins	
Total—91		

NAYS

Bowler	Fruge	Scalise
Erdey	Jackson, L	Sneed
Total—6		

ABSENT

Beard	Hopkins	Waddell
Fannin	Kennard	Walsworth
Glover	McVea	
Total—8		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 106—BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 14:102.12(introductory paragraph) and to enact R.S. 14:102.18, relative to the seizure and euthanizing of dogs; to authorize law enforcement officers and animal control officers to seize dogs which cause death or inflict serious bodily injury on human beings; to provide for a hearing to determine whether such dogs shall be euthanized; to provide for owner liability for costs and expenses of keeping the dog in certain circumstances; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Reengrossed House Bill No. 106 by Representative Cazayoux

AMENDMENT NO. 1

On page 1, line 5, after "inflict" delete "serious"

AMENDMENT NO. 2

On page 2, at the beginning of line 2, delete "serious"

AMENDMENT NO. 3

On page 2, line 5, after "inflicts" delete "serious"

AMENDMENT NO. 4

On page 2, at the beginning of line 15, delete "serious"

AMENDMENT NO. 5

On page 2, line 19, after "inflicted" delete "serious"

AMENDMENT NO. 6

On page 2, at the beginning of line 26, delete "serious"

Rep. Cazayoux moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Odinet
Alario	Frith	Perkins
Alexander	Futrell	Peychaud
Ansardi	Gallot	Pierre
Arnold	Green	Pinac
Baldone	Hammett	Pitre
Baudoin	Heaton	Powell
Baylor	Hebert	Quezaire
Beard	Hill	Richmond
Bowler	Honey	Romero
Broome	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Capella	Hutter	Schwegmann

Carter, K
Carter, R
Cazayoux
Crane
Crowe
Damico
Daniel
Dartez
Devillier
Diez
Doerge
Downer
Downs
Durand
Erdey
Fannin
Farrar
Fauchaux
Total—96

Iles
Jackson, L
Jackson, M
Johns
Katz
Kenney
LaFleur
Lancaster
Landrieu
LeBlanc
Martiny
McDonald
McVea
Montgomery
Morrell
Morrish
Murray
Nevers

Shaw
Smith, G.—56th
Smith, J.D.—50th
Smith, J.H.—8th
Stelly
Strain
Swilling
Thompson
Toomy
Townsend
Triche
Tucker
Waddell
Walker
Walsworth
Welch
Winston
Wright

NAYS

Total—0

ABSENT

Curtis
Fruge
Glover
Total—9

Guillory
Kennard
Lucas

Smith, J.R.—30th
Sneed
Wooton

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 121—BY REPRESENTATIVES SHAW AND ILES
AN ACT

To enact R.S. 32:295.3, relative to motor vehicle regulations; to prohibit drivers or operators from leaving children under the age of six unattended and unsupervised in motor vehicles; to provide for definitions; to provide for limitations of liability; to provide for applicability; to provide for penalties; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 121 by Representative Shaw

AMENDMENT NO. 1

On page 1, line 2, change "32:295.3" to "14:91.2" and change "motor vehicle regulations" to "crimes"

AMENDMENT NO. 2

On page 1, line 9, change "32:295.3" to "14:91.2"

AMENDMENT NO. 3

On page 1, line 10, change "295.3" to "91.2"

AMENDMENT NO. 4

On page 2, delete lines 15 and 16 and insert the following:

"returns.

Page 70 HOUSE

42nd Day's Proceedings - June 16, 2003

D. Whoever violates this Section shall be fined not more than twenty-five dollars."

AMENDMENT NO. 5

On page 2, line 17, change "D." to "E."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Reengrossed House Bill No. 121 by Representative Shaw

AMENDMENT NO. 1

Delete Senate Committee Amendment Nos. 1, 2, and 3 proposed by the Senate Committee on Judiciary C and adopted by the Senate on June 11, 2003.

AMENDMENT NO. 2

On page 1, line 2, between "To" and "enact" insert "amend and reenact R.S. 32:300(A) and to" and after "32:295.3" insert "and 300(F)"

AMENDMENT NO. 3

On page 1, line 6, between "penalties;" and "and" insert the following:

"to prohibit passengers in motor vehicles from possessing open alcoholic beverage containers; to prohibit such persons from consuming alcoholic beverages; to provide for exceptions;"

AMENDMENT NO. 4

On page 1, line 9, change "R.S. 32:295.3 is" to "R.S. 32:300(A) is hereby amended and reenacted and R.S. 32:295.3 and 300(F) are"

AMENDMENT NO. 5

On page 1, after line 19, insert the following:

* * *

§300. Possession of alcoholic beverages in motor vehicles

A. It shall be unlawful for the operator of a motor vehicle or the passenger in or on a motor vehicle, when the motor vehicle is on a public highway or right-of-way, to possess an open alcoholic beverage container, or to consume an alcoholic beverage, in the passenger area of a motor vehicle.

* * *

F. The provisions of this Section shall not apply to the following persons or in the following areas:

(1) Persons operating or occupying a motor vehicle who, as a condition of their employment and while acting in the course and scope of such employment, are required to carry open alcoholic beverage containers, provided that the operator or passengers do not consume the alcoholic beverages.

(2) Paid fare passengers on a common or contract carrier vehicle, as defined in R.S. 45:162.

(3) Paid fare passengers on a public carrier vehicle, as defined in R.S. 45:200.2.

(4) Passengers in a courtesy vehicle which is operated as a courtesy vehicle for a hotel or motel.

(5) Passengers of a self-contained motor home which is in excess of twenty-one feet in length.

(6) Possession of an open container of alcoholic beverage in the trunk of a motor vehicle.

(7) If the motor vehicle is not equipped with a trunk, possession of an open container or alcoholic beverages in any of the following areas:

(a) In a locked glove or utility compartment.

(b) In an area of the vehicle not normally occupied by, and not readily accessible, to the driver or passengers."

Point of Order

Rep. Heaton asked for a ruling from the Chair as to whether the above amendments create a dual object.

Ruling of the Chair

The Chair declined to rule as to whether the bill contained a dual object inasmuch as it is a matter for the courts to decide.

Rep. Shaw moved that the amendments proposed by the Senate be concurred in.

As a substitute motion, Rep. Townsend moved to table the bill.

Rep. Shaw objected.

The vote recurred on the substitute motion.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Green	Pierre
Ansardi	Guillory	Pinac
Arnold	Hammett	Pitre
Baldone	Heaton	Quezaire
Baylor	Hebert	Richmond
Bowler	Honey	Romero
Bruneau	Hudson	Scalise
Capella	Hunter	Smith, J.D.—50th
Carter, R	Jackson, L	Sneed
Cazayoux	Katz	Strain
Curtis	LaFleur	Swilling
Damico	Lancaster	Toomy
Devillier	Martiny	Townsend
Diez	McVea	Welch
Flavin	Morrell	Winston
Fruge	Murray	Wooton
Gallot	Odinet	
Glover	Peychaud	
Total—52		

NAYS

Mr. Speaker	Faucheux	Powell
Alexander	Frith	Salter
Baudoin	Futrell	Schneider
Beard	Hill	Schwegmann
Broome	Hopkins	Shaw
Bruce	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th

Crowe	Kenney	Stelly
Daniel	Landrieu	Thompson
Dartez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downer	McDonald	Waddell
Downs	Montgomery	Walker
Erdey	Morrish	Walsworth
Fannin	Nevers	Wright
Farrar	Perkins	
Total—50		

ABSENT

Durand	Jackson, M	Kennard
Total—3		

The House agreed to table the bill.

HOUSE BILL NO. 1968—

BY REPRESENTATIVE LEBLANC

AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations for the funding of said agencies and purposes for the 2002-2003 Fiscal Year; and to provide for related matters.

Suspension of the Rules

On motion of Rep. LeBlanc, and under a suspension of the rules, the above bill was taken up out of its regular order at this time.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 1968 by Representative LeBlanc

AMENDMENT NO. 1

On page 1, line 8, change "Section 1." to "Section 1.A."

AMENDMENT NO. 2

On page 1, between lines 10 and 11, insert the following:

"B. The commissioner of administration is hereby authorized and directed to reduce the State General Fund (Direct) appropriations contained in Section 1 of this Act by a total amount of \$14,400,000 and to increase the Federal Funds means of financing for such appropriations by a like amount. Such adjustments in means of financing may only be made for purposes which provide essential government services or which cover state costs of complying with any federal intergovernmental mandate (as defined in Section 421(5) of the Congressional Budget Act of 1974) to the extent that the mandate applies to the state, and the federal government has not provided funds to cover the costs. Such adjustments must be consistent with the certifications provided by the state to the secretary of the Treasury that the proposed use of funds to be received by the state under Federal Temporary State Fiscal Relief in Federal Fiscal Years 2003 and 2004 are consistent with federal requirements and shall not be made prior to such certification."

AMENDMENT NO. 3

On page 1, between lines 11 and 12, insert the following:

"01-107 DIVISION OF ADMINISTRATION

Payable out of the State General Fund (Direct) to the Executive Administration Program for the implementation of Phase 2 of the BRASS database for the Office of Planning and Budget \$ 100,000"

AMENDMENT NO. 4

On page 1, at the end of line 19, change "550,000" to "700,000"

AMENDMENT NO. 5

On page 6, line 8, change "Louisiana Fund" to "State General Fund (Direct)"

AMENDMENT NO. 6

On page 6, after line 46, insert the following:

"Provided, however, that of the appropriations contained above for the Payments to Private Providers program for the payment of hospital cost reports and the payment of hospital "outlier" reimbursements, the Department of Health and Hospitals is hereby directed to first make the necessary payments to fully restore the reductions implemented in the current fiscal year to the Medicaid reimbursement rates for inpatient hospital services before making the payments for hospital cost reports and hospital "outlier" reimbursements."

AMENDMENT NO. 7

On page 7, delete lines 20 through 26 in their entirety

AMENDMENT NO. 8

On page 7, line 36, change "Statutory Dedications from the Louisiana Fund" to "Federal Funds"

AMENDMENT NO. 9

On page 9, at the end of line 5, change "284" to "1,144"

AMENDMENT NO. 10

On page 9, at the end of line 9, change "822" to "3,314"

AMENDMENT NO. 11

On page 9, at the end of line 13, change "248" to "999"

AMENDMENT NO. 12

On page 9, at the end of line 18, change "1,309" to "5,274"

AMENDMENT NO. 13

On page 9, at the end of line 23, change "1,306" to "5,261"

AMENDMENT NO. 14

On page 9, at the end of line 29, change "2,128,719" to "9,129,904"

AMENDMENT NO. 15

On page 10, between lines 18 and 19, insert the following:

"Payable out of the State General Fund by Statutory Dedications from the Education Excellence Fund for distribution to city, parish,

Page 72 HOUSE

42nd Day's Proceedings - June 16, 2003

and other local school systems in accordance with Art. VII, Section 10.8(A)(1)(d) and (C)(3)(d) of the Constitution of Louisiana \$ 17,444,859

Provided, however, that if and only if a re-hearing is granted and a decision is rendered in the case "East Baton Rouge Parish School Board and Calcasieu School Board v. Murphy J. "Mike" Foster, Jr., et al.", bearing docket number 2002-CA-2799 of the Supreme Court of Louisiana, reversing the trial court judgment, and rendering judgment denying the plaintiffs' request for a permanent injunction and declaring Act 26 of the 2002 Regular Session constitutional, this appropriation shall be transferred to the Department of Education, Nonpublic Educational Assistance (Schedule 19-697) and distributed in accordance with Art. VII, Section 10.8(C)(3)(a) of the Constitution of Louisiana."

AMENDMENT NO. 16

On page 10, at the end of line 22, change "406,669" to "1,640,645"

AMENDMENT NO. 17

On page 11, delete lines 24 and 25, and insert in lieu thereof the following:

"Section 2. The sum of Thirty-four Million and No/100 (\$34,000,000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of the State General Fund (Direct) and the sum of Sixty-six Million Four Hundred Thousand and No/100 (\$66,400,000.00) Dollars, or so much thereof as may be necessary, is"

AMENDMENT NO. 18

On page 12, at the beginning of line 17, change "\$123,000" to "\$323,000"

AMENDMENT NO. 19

On page 12, between lines 23 and 24, insert the following:

"University of New Orleans Foundation for an Urban Routes project to organize cultural tourism \$ 130,000

New Orleans Job Initiatives for an initiative to develop and implement a program to attract disadvantaged citizens in the New Orleans area to the Allied Health fields \$ 70,000"

AMENDMENT NO. 20

On page 13, line 8, change "646,963" to "896,653"

AMENDMENT NO. 21

On page 13, delete lines 12 through 27 and on page 14, delete lines 1 and 2 and insert the following:

"Section 6. Notwithstanding the provisions of Act 152 of the First Extraordinary Session of 2002, Schedule 10-355 to the Office of Family Support out of Federal Funds from the Temporary Assistance for Needy Families Supplemental Grant, or any other Act, action or agreement, or the carryforward of any monies from such allocation, the allocation in the amount of \$5,000,000 contained in Act 152 to the Louisiana Community and Technical College Board of Supervisors is hereby amended and reenacted to read as follows:

To the Louisiana Community and Technical Colleges Board of Supervisors to provide training to low-income parents in

targeted cluster areas and demand occupations which training shall be developed in collaboration with the Department of Economic Development, the Workforce Commission, and other agencies \$ 2,300,000

To the Department of Social Services, Office of Family Support to be used for the implementation and transition from the FINDWORK Program to the Strategies To Empower People (STEP) Program \$ 2,700,000"

Rep. LeBlanc moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Psychaud
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, K	Hutter	Smith, J.D.—50th
Carter, R	Iles	Smith, J.H.—8th
Cazayoux	Jackson, L	Smith, J.R.—30th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Doerge	Martiny	Tucker
Downer	McDonald	Waddell
Downs	McVea	Walker
Durand	Montgomery	Walsworth
Erdey	Morrell	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Nevers	Wright
Flavin	Odinot	
Frith	Perkins	
Total—103		

NAYS

Total—0

ABSENT

Kennard Lancaster
Total—2

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1968: Reps. LeBlanc, DeWitt, and Murray.

HOUSE BILL NO. 957—

BY REPRESENTATIVES WELCH AND MURRAY
AN ACT

To enact R.S. 46:153.3(C), relative to prescription drugs used in the treatment of HIV/AIDS, hepatitis C, and schizophrenia; to provide a list of drugs which shall be exempt from the Department of Health and Hospitals' reimbursement limits or prior approval requirements; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 957 by Representatives Welch and Murray

AMENDMENT NO. 1

On page 1, line 5 delete "reimbursement limits or"

AMENDMENT NO. 2

On page 1, line 13 after "shall not" delete "establish any limits on, or"

AMENDMENT NO. 3

On page 1, line 14 after "restrict by" delete "any"

AMENDMENT NO. 4

On page 2, lines 1 and 2 delete "formulary limits or restrictions" and insert "prior authorization provisions"

AMENDMENT NO. 5

On page 2, line 14 delete "formulary limitations" and insert "prior authorization provisions"

Rep. Welch moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Peychaud
Alexander	Glover	Pierre
Ansardi	Green	Pinac
Arnold	Guillory	Pitre
Baldone	Hammett	Powell
Baudoin	Heaton	Quezaire
Baylor	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider

Capella
Carter, K
Carter, R
Cazayoux
Crane
Crowe
Curtis
Damico
Daniel
Dartez
De villier
Diez
Doerge
Downer
Downs
Durand
Fannin
Farrar
Fauchaux
Flavin
Frith
Fruge

Total—102

Hunter
Hutter
Iles
Jackson, L
Jackson, M
Johns
Katz
Kenney
LaFleur
Lancaster
Landrieu
LeBlanc
Lucas
Martiny
McDonald
McVea
Montgomery
Morrell
Morrish
Murray
Nevers
Odinet

Schwegmann
Shaw
Smith, G.—56th
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
Sneed
Stelly
Strain
Swilling
Thompson
Toomy
Townsend
Triche
Tucker
Waddell
Walker
Walsworth
Welch
Winston
Wooton
Wright

NAYS

Total—0

ABSENT

Beard
Total—3

Erdey

Kennard

The amendments proposed by the Senate were concurred in by the House.

Suspension of the Rules

On motion of Rep. Bruneau, the rules were suspended in order to take up and consider Conference Committee Reports for Consideration at this time.

Conference Committee Reports for Consideration

The following Conference Committee Reports were taken up and acted upon as follows:

CONFERENCE COMMITTEE REPORT**House Bill No. 1007 By Representative Bruneau**

June 3, 2003

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 1007 by Representative Bruneau, recommend the following concerning the engrossed bill:

1. That Senate Floor Amendments Nos. 1 through 8 proposed by Senator Boissiere and adopted by the Senate on May 5, 2003, be rejected.
2. That Senate Floor Amendments Nos. 9 and 10 proposed by Senator Boissiere and adopted by the Senate on May 5, 2003, be adopted.
3. That the following amendments to the engrossed bill be adopted:

Page 74 HOUSE

42nd Day's Proceedings - June 16, 2003

AMENDMENT NO. 1

On page 4, line 23, after "remains" delete the remainder of the line and at the beginning of line 24, delete "ceremonies"

AMENDMENT NO. 2

On page 5, line 5, after "body" and before "parts" delete the comma "," and insert "or"

AMENDMENT NO. 3

On page 5, line 6, after "body" delete the comma "," and delete the remainder of the line

AMENDMENT NO. 4

On page 18, delete line 13, and insert the following:

"for in Chapter 1 of Part XXVI of the Sanitary Code provided for in Title 51 of the Louisiana Administrative Code."

Respectfully submitted,

Representative Emile "Peppi" Bruneau
Representative Gil J. Pinac
Representative Cedric Richmond
Senator Lambert Boissiere, Jr.
Senator Ken Hollis
Senator Paulette R. Irons

Rep. Bruneau moved to adopt the Conference Committee Report.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Psychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, R	Hutter	Smith, G.—56th
Cazayoux	Iles	Smith, J.D.—50th
Crane	Jackson, L	Smith, J.H.—8th
Crowe	Jackson, M	Smith, J.R.—30th
Curtis	Johns	Sneed
Damico	Katz	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Doerge	Lucas	Townsend
Downer	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch

Fauchoux	Murray	Winston
Flavin	Nevers	Wright
Frith	Odinet	
Fruge	Perkins	
Total—100		

NAYS

Total—0

ABSENT

Bowler	Kennard	Wooton
Carter, K	Lancaster	
Total—5		

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

House Bill No. 1499 By Representative Pitre

May 28, 2003

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 1499 by Representative Pitre, recommend the following concerning the engrossed bill:

1. That the set of Senate Floor Amendments proposed by Senator Gautreaux and adopted by the Senate on April 28, 2003, be adopted.
2. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 2, change "3:4617(D) and (E)" to "3:4617(D), (E), and (F)"

AMENDMENT NO. 2

On page 1, line 5, after "packaging;" and before "and" insert "provides relative to registered trade names and trademarks;"

AMENDMENT NO. 3

On page 1, line 8, change "3:4617(D) and (E)" to "3:4617(D), (E), and (F)"

AMENDMENT NO. 4

On page 2, between lines 8 and 9, insert the following:

" F. The provisions of Subsections D and E of this Section shall not infringe upon rights acquired pursuant to any trademark or trade name legally registered with the state of Louisiana as of May 15, 2003."

Respectfully submitted,

Representative Loulan J. Pitre, Jr.
Representative Francis C. Thompson
Representative Daniel R. Martiny
Senator Kenneth M. Smith

Rep. Pitre moved to adopt the Conference Committee Report.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Peychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinet	
Früge	Perkins	
Total—103		

NAYS

Total—0

ABSENT

Bowler	Kennard
Total—2	

The Conference Committee Report was adopted.

CONFERENCE COMMITTEE REPORT

House Bill No. 1342 By Representative DeWitt

June 11, 2003

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 1342 by Representatives DeWitt et al., recommend the following concerning the engrossed bill:

1. That the set of Senate Floor Amendments proposed by Senator Theunissen and adopted by the Senate on May 21, 2003, be rejected.

Respectfully submitted,

Representative Joe R. Salter
Representative Carl Crane
Representative Lelon Kenney
Senator Gerald J. Theunissen
Senator Willie L. Mount
Senator Fred R. Hoyt

Rep. Crane moved to adopt the Conference Committee Report.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Pinac
Alario	Guillory	Pitre
Ansardi	Hammett	Powell
Arnold	Heaton	Quezaire
Baldone	Hebert	Richmond
Baudoin	Hill	Romero
Baylor	Honey	Salter
Beard	Hopkins	Scalise
Broome	Hudson	Schneider
Bruce	Hunter	Schwegmann
Bruneau	Hutter	Shaw
Capella	Iles	Smith, G.—56th
Carter, K	Jackson, L	Smith, J.D.—50th
Carter, R	Jackson, M	Smith, J.H.—8th
Cazayoux	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Curtis	Kenney	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Swilling
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Flavin	Murray	Winston
Frith	Nevers	Wooton
Futrell	Odinet	Wright
Gallot	Perkins	
Glover	Peychaud	
Total—97		

NAYS

Alexander
Total—1

ABSENT

Bowler	Faucheux	Pierre
Crane	Früge	
Downer	Kennard	
Total—7		

The Conference Committee Report was adopted.

Suspension of the Rules

On motion of Rep. Ansardi, the rules were suspended in order to take up and consider House Bills and Joint Resolutions Returned from the Senate with Amendments at this time.

House Bills and Joint Resolutions Returned from the Senate with Amendments

The following House Bills and Joint Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

HOUSE BILL NO. 140—

BY REPRESENTATIVES ANSARDI AND JOHNS
AN ACT

To amend and reenact Children's Code Article 1131 and to enact Chapter 2-A of Title XI of the Children's Code, to be comprised of Articles 1107.1 through 1107.9, relative to voluntary surrender for adoption; to provide rules to facilitate the intent to surrender process; to provide forms to be used in intent to surrender cases; to provide procedural safeguards in intent to surrender cases; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 140 by Representative Ansardi

AMENDMENT NO. 1

On page 5, line 10, after "any" and before "surrender" insert "motion for hearing to determine his parental rights that she may thereafter file or of any"

AMENDMENT NO. 2

On page 8, line 10 after "any" and before "surrender" insert "motion for hearing to determine his parental rights that she may thereafter file or of any"

AMENDMENT NO. 3

On page 10, line 20, change "thirty" to "fifteen"

AMENDMENT NO. 4

On page 10, line 21, after "or" and before "within" insert ".if the child has not yet been born,"

AMENDMENT NO. 5

On page 11, at the beginning of line 3, after "A" insert "motion for hearing to determine the father's rights or a" and after "is" delete "executed" and insert "filed"

AMENDMENT NO. 6

On page 11, line 4, delete "execution" and insert "filing" after "surrender" insert a period "." and delete the remainder of line 4 and delete line 5

AMENDMENT NO. 7

On page 12, between lines 21 and 22, insert the following:

"B. Within ninety days of the filing of her intent to surrender, the mother may file a motion for hearing to determine the father's parental rights. The court shall schedule a hearing to decide whether the father has established or forfeited his parental rights in accordance with Article 1138 within twenty days after the time the father was served with the motion for hearing. If the father fails to establish his parental rights, he shall be deemed to have waived notice of the filing and service of any pleading in any subsequent surrender or adoption proceeding and to have no cause of action to challenge the child's adoption and his parental rights are subject to termination upon the filing and approval of the mother's surrender."

AMENDMENT NO. 8

On page 12, at the beginning of line 22, delete "B." and insert "C." and delete "executes" and insert "files" and delete "the time"

AMENDMENT NO. 9

On page 12, at the beginning of line 23, delete "limitations of Article 1107.6(C)," and insert "ninety days of the filing of her intent to surrender and the father's rights have not been previously determined to be waived pursuant to Paragraph B."

AMENDMENT NO. 10

On page 12, at the beginning of line 28, delete "C." and insert "D."

AMENDMENT NO. 11

On page 12, line 28, after "not" insert "file a motion for hearing pursuant to Paragraph B or" and delete "execute" and insert "file"

AMENDMENT NO. 12

On page 12, at the beginning of line 29, delete "the time limitations of Article 1107.6(C)," and insert "ninety days of the filing of her intent to surrender."

AMENDMENT NO. 13

On page 14, line 5, change "thirty" to "fifteen"

AMENDMENT NO. 14

On page 15, line 3, change "thirty" to "fifteen"

AMENDMENT NO. 15

On page 15, line 4, after "then" insert "you waive notice and service of future surrender or adoption proceedings, you have no cause of action to challenge the child's adoption, and"

Rep. Ansardi moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell

Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Broome	Hill	Salter
Bruce	Honey	Scalise
Bruneau	Hopkins	Schneider
Capella	Hudson	Schwegmann
Carter, K	Hunter	Shaw
Carter, R	Hutter	Smith, G.—56th
Cazayoux	Iles	Smith, J.D.—50th
Crane	Jackson, L	Smith, J.H.—8th
Crowe	Jackson, M	Smith, J.R.—30th
Curtis	Johns	Sneed
Damico	Katz	Stelly
Daniel	Kenney	Strain
Dartez	LaFleur	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Doerge	Lucas	Townsend
Downer	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinet	Wright
Total—102		

NAYS

Total—0

ABSENT

Bowler	Kennard	Lancaster
Total—3		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 171—

BY REPRESENTATIVES ANSARDI AND JOHNS
AN ACT

To amend and reenact Children's Code Articles 412, 603(13), 615(E)(2), 616, 668(A), 675(B)(4), 897(D), 899(D), 1037, 1039, 1115(C), 1120, 1122(C) and (F), 1171, 1173(A)(introductory paragraph) and (3), 1178(B), 1192, 1218(D), 1222(B), 1269.1(A)(introductory paragraph), and 1269.3(A) and to enact Children's Code Articles 603(12.1), 612.1, 1122(B)(11), and 1130.1, relative to the continuous revision of the Children's Code; to provide for the confidentiality of records; to define "institutional abuse or neglect"; to provide for mandatory reporting of abuse; to provide for the investigation of facilities; to provide for disposition of reports; to provide for the purpose of a central registry; to provide for case plans; to provide for disposition after a delinquent act; to provide formalities in termination judgments; to provide for preplacement approval; to provide for the act of surrender form; to provide for pre-surrender counseling; to provide for the determination of parental capacity; to provide for a current certification in private adoptions; to provide requirements for home study; to provide for disclosure of information in adoptions; to provide for continued contact after adoptions; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 171 by Representative Ansardi

AMENDMENT NO. 1

On page 19, line 6, following "(B)(6)" and before "of" insert a comma ", "

AMENDMENT NO. 2

On page 29, lines 3 and 16, following "Article" change "1120.1" to "1130.1"

AMENDMENT NO. 3

On page 34, line 24, following "Article" change "1120.1" to "1130.1"

AMENDMENT NO. 4

On page 35, line 12, following "Article" change "1120.1" to "1130.1"

Rep. Ansardi moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Perkins
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, K	Hutter	Smith, J.D.—50th
Carter, R	Iles	Smith, J.H.—8th
Cazayoux	Jackson, L	Smith, J.R.—30th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Doerge	Martiny	Tucker
Downer	McDonald	Waddell
Downs	McVea	Walker
Durand	Montgomery	Walsworth
Erdey	Morrell	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wright
Faucheux	Nevers	
Flavin	Odinet	
Total—100		

Page 78 HOUSE

42nd Day's Proceedings - June 16, 2003

NAYS

Total—0

ABSENT

Fruge	Lucas	Wooton
Kennard	Psychaud	
Total—5		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 179—

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 9:2715(B)(1), relative to the transfer of structured settlement rights; to provide for venue for filing the ex parte petition in the parish in which the payee resides; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Engrossed House Bill No. 179 by Representative Powell

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 9:2715(B)(1)" and before the comma", "insert "and to enact R.S. 9:2715(J)"

AMENDMENT NO. 2

On page 1, line 4, after the "resides;" and before "and" insert "to specify certain penalties imposed under the Internal Revenue Code for failure to obtain a court order approving a transfer;"

AMENDMENT NO. 3

On page 1, line 6, after "reenacted" and before "to" insert "and R.S. 9:2715(J) is hereby enacted"

AMENDMENT NO. 4

On page 2, after line 8, insert the following:

"* * *

J. Any person who acquires directly or indirectly structured settlement payment rights in a structured settlement factoring transaction in advance of an order required by this Section may be subject to the tax imposed under the Internal Revenue Code, 26 U.S.C. 5891."

Rep. Powell moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Perkins
Alario	Gallot	Psychaud

Alexander
Ansardi
Arnold
Baldone
Baudoin
Baylor
Beard
Bowler
Broome
Bruce
Bruneau
Capella
Carter, K
Carter, R
Cazayoux
Crane
Crowe
Damico
Daniel
Dartez
Devillier
Diez
Doerge
Downer
Downs
Durand
Erdey
Fannin
Farrar
Faucheux
Flavin
Frith
Total—101

Glover
Green
Guillory
Hammett
Heaton
Hebert
Hill
Honey
Hopkins
Hudson
Hunter
Hutter
Iles
Jackson, L
Jackson, M
Johns
Katz
Kenney
LaFleur
Lancaster
Landrieu
LeBlanc
Lucas
Martiny
McDonald
McVea
Montgomery
Morrell
Morrish
Murray
Nevers
Odinet
Total—101

Pierre
Pinac
Pitre
Powell
Quezaire
Richmond
Romero
Salter
Scalise
Schneider
Schwegmann
Shaw
Smith, G.—56th
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
Sneed
Stelly
Strain
Swilling
Thompson
Townsend
Triche
Tucker
Waddell
Walker
Walsworth
Welch
Winston
Wooton
Wright

NAYS

Total—0

ABSENT

Curtis	Kennard
Fruge	Toomy
Total—4	

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 206—

BY REPRESENTATIVES MONTGOMERY, L. JACKSON, AND JANE SMITH

AN ACT

To amend and reenact R.S. 19:121, relative to expropriation of property by a declaration of taking by the cities of Bossier City and Shreveport; to redefine property subject to such expropriation; to direct the Louisiana State Law Institute to appropriately rename the Part heading; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Adley to Engrossed House Bill No. 206 by Representative Montgomery

AMENDMENT NO. 1

On page 1, line 2, between "19:121" and the comma "," insert "and to enact R.S. 19:124.1"

AMENDMENT NO. 2

On page 1, line 4, between "expropriation" and the semi-colon ";," insert "; to provide for the method of compensation"

AMENDMENT NO. 3

On page 1, line 11, between "reenacted" and "to" insert "and R.S. 19:124.1 is hereby enacted"

AMENDMENT NO. 4

On page 2, between lines 2 and 3, insert the following:

" * * *

§ 124.1. Method of compensation

R.S. 19:124.1 is all proposed new law.

The method of compensation to be paid to the owner of any property and/or structure subject to quicktake pursuant to this Part, shall be the appraised value or replacement cost whichever is greater, plus any loss of income that occurs as a result of the quicktake if such applies.

Section 2. The provisions of this Act shall expire on August 31, 2004."

AMENDMENT NO. 5

On page 2, at the beginning of line 3, change "2" to "3"

Rep. Montgomery moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Odinot
Alario	Frith	Perkins
Alexander	Futrell	Peychaud
Ansardi	Gallot	Pierre
Arnold	Glover	Pinac
Baldone	Green	Pitre
Baudoin	Guillory	Powell
Baylor	Hammett	Quezaire
Beard	Heaton	Richmond
Bowler	Hebert	Romero
Broome	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Martiny	Triche
Downer	McDonald	Tucker
Downs	McVea	Walker
Durand	Montgomery	Walsworth
Erdey	Morrell	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Nevers	Wright

Total—99

NAYS

Hopkins
Total—2

Waddell

ABSENT

Fruge
Kennard
Total—4

Lucas
Salter

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 217—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 11:2223(A) and (B)(1) and to enact R.S. 11:2214(A)(2)(d) and (e), relative to the Municipal Police Employees' Retirement System; to provide with respect to membership in the system; to provide for physical examinations; to establish deadlines for submission of certain forms; to require submission of waivers for preexisting conditions; to provide eligibility criteria for disability benefits; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 217 by Representative Montgomery

AMENDMENT NO. 1

On page 3, lines 2 and 3, change "who has not submitted the required documentation" "for whom the required documentation has not been submitted"

AMENDMENT NO. 2

On page 3, line 25, delete "if he has failed to submit" and on line 26, before the period "." add "have not been submitted to the system"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 217 by Representative Montgomery

AMENDMENT NO. 1

On page 3, line 22, change "11:224" to "11:225"

Rep. Montgomery moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre

Page 80 HOUSE

42nd Day's Proceedings - June 16, 2003

Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinet	

Total—104

NAYS

Total—0

ABSENT

Kennard

Total—1

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 219—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 11:2214(A)(2)(a), relative to the Municipal Police Employees' Retirement System; to provide with respect to membership in the retirement system; to remove the age limitation on membership for certain elected chiefs; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 219 by Representative Montgomery

AMENDMENT NO. 1

On page 1, line 4, change "membership" to "membership;"

AMENDMENT NO. 2

On page 1, line 5, delete "for certain elected chiefs;" and insert in lieu thereof "to allow the purchase of service credit by previously ineligible persons;"

AMENDMENT NO. 3

On page 2, line 4, after "employment" change the comma "," to a period "." and delete the remainder of the line, and delete line 5

AMENDMENT NO. 4

On page 2, delete lines 6 through 8 in their entirety and insert the following:

"(ii) Employees who were prevented from joining the system at employment because they were fifty years of age or older shall become members of the system on July 1, 2003. Any such employee may purchase service credit for all prior time served as an employee as defined in R.S. 11:2213(11) by paying into the system the amount required by R.S. 11:158. The cost of such purchase shall be born by the employee. No fund derived from the"

Rep. Montgomery moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinet
Alario	Frige	Perkins
Alexander	Futrell	Psychaud
Ansardi	Gallot	Pinac
Arnold	Glover	Pitre
Baldone	Green	Powell
Baudoin	Guillory	Quezaire
Baylor	Hammett	Richmond
Beard	Heaton	Romero
Bowler	Hebert	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright

Total—102

NAYS

Pierre

Total—1

ABSENT

Hill

Kennard

Total—2

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 232—

BY REPRESENTATIVE FUTRELL

AN ACT

To amend and reenact R.S. 15:542(B)(introductory paragraph), (1)(introductory paragraph), and (2)(a), relative to sex offender registration and notification; to require sex offenders to provide a description of their physical characteristics; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed House Bill No. 232 by Representative Futrell

AMENDMENT NO. 1

On page 1, line 4, after "notification" insert "and to enact R.S. 15:541(18);"

AMENDMENT NO. 2

On page 1, line 5, after the semicolon ";," insert "to provide for definitions;"

AMENDMENT NO. 3

On page 1, line 9, after "reenacted" insert "and R.S. 15:541(18) is hereby enacted"

AMENDMENT NO. 4

On page 1, between lines 9 and 10, insert the following:

"§541. Definitions

For the purposes of this Chapter, the definitions of terms in this Section shall apply:

* * *

(18) "Institution of postsecondary education" means any public or private institution of postsecondary education in the state."

Rep. Futrell moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker

Flavin

Perkins

Alario
Alexander

Ansardi

Arnold

Baldone

Baudoin

Baylor

Beard

Bowler

Broome

Bruce

Bruneau

Capella

Carter, K

Carter, R

Cazayoux

Crane

Crowe

Curtis

Damico

Daniel

Dartez

Devillier

Diez

Doerge

Downer

Downs

Durand

Erdey

Fannin

Farrar

Fauchaux

Total—97

Frith

Futrell

Gallot

Glover

Green

Guillory

Hammett

Heaton

Hebert

Hill

Hopkins

Hudson

Hunter

Hutter

Iles

Jackson, L

Jackson, M

Johns

Katz

Kenney

LaFleur

Lancaster

Landrieu

LeBlanc

Lucas

Martiny

McDonald

McVea

Montgomery

Morrish

Nevers

Odinot

Peychaud

Pierre

Pinac

Pitre

Powell

Quezaire

Romero

Salter

Scalise

Schneider

Schwegmann

Shaw

Smith, G.—56th

Smith, J.D.—50th

Smith, J.H.—8th

Smith, J.R.—30th

Sneed

Stelly

Strain

Thompson

Toomy

Townsend

Triche

Tucker

Waddell

Walker

Walsworth

Winston

Wooton

Wright

NAYS

Honey

Morrell

Total—6

Murray

Richmond

Swilling

Welch

ABSENT

Fruge

Total—2

Kennard

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 234—

BY REPRESENTATIVE KENNARD

AN ACT

To amend and reenact R.S. 14:95(H), relative to illegal carrying of weapons; to include coroners in the list of officials who may carry a concealed handgun when certified by the Council on Peace Officer Standards and Training; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed House Bill No. 234 by Representative Kennard

AMENDMENT NO. 1

On page 1, line 14, after "coroners," insert "district attorneys and designated assistant district attorneys."

Page 82 HOUSE

42nd Day's Proceedings - June 16, 2003

AMENDMENT NO. 2

On page 1, line 16, after "coroners," insert "district attorneys and designated assistant district attorneys."

Rep. Perkins moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Psychaud
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, K	Hutter	Smith, J.D.—50th
Carter, R	Iles	Smith, J.H.—8th
Cazayoux	Jackson, L	Smith, J.R.—30th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downer	Martiny	Waddell
Downs	McDonald	Walker
Durand	McVea	Walsworth
Erdey	Montgomery	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Nevers	Wright
Flavin	Odinot	
Frith	Perkins	
Total—103		

NAYS

Morrell
Total—1

ABSENT

Kennard
Total—1

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 243—

BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact Children's Code Articles 424.1(A), 1015(7), 1101, and 1193(introductory paragraph); to enact Chapter 13 of Title XI of the Children's Code, to be comprised of Articles 1149 through 1160; and to repeal Children's Code Articles 1701

through 1706, relative to safe haven relinquishments of infants; to provide for CASA appointments; to provide for defenses to prosecution; to provide for emergency care facility responsibilities; to provide for medical evaluations of the infant; to provide for hearings for parent to reclaim parental rights; to provide procedures when a non-relinquishing parent cannot be identified; to provide procedural safeguards; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 243 by Representative Ansardi

AMENDMENT NO. 1

On page 1, line 2, after "424.1(A)" insert "and (D)"

AMENDMENT NO. 2

On page 1, at the end of line 6, insert "to provide that CASA volunteers shall submit to a criminal history records check;"

AMENDMENT NO. 3

On page 1, line 13, after "424.1(A)" insert "and (D)"

AMENDMENT NO. 4

On page 2, between lines 5 and 6, insert the following:

"D. CASA volunteers serve without compensation and at the pleasure of the court exercising juvenile jurisdiction. The judge of the court will first satisfy himself of the volunteer's qualifications, training, and ability to serve as a CASA volunteer, including his ability to represent and advocate the best interest of children assigned to him. Pursuant to R.S. 15:587.1, no volunteer shall be assigned until a comprehensive criminal background check has been conducted the volunteer has submitted fingerprints to the Louisiana Bureau of Criminal Identification and Information to determine whether the volunteer has been convicted of or has pled nolo contendere to a crime listed in R.S. 15:587.1(C).

* * *

AMENDMENT NO. 5

On page 15, line 19, after "havens" insert "including the establishment of a toll free number to direct individuals to designated emergency care facilities"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 243 by Representative Ansardi

AMENDMENT NO. 1

On page 16, between lines 2 and 3, insert the following:

"(5) The department shall utilize existing funds to effectuate the provisions of Paragraphs (1) and (2) of this Article."

Rep. Ansardi moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, K	Hutter	Smith, J.D.—50th
Carter, R	Iles	Smith, J.H.—8th
Cazayoux	Jackson, L	Smith, J.R.—30th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downer	Martiny	Waddell
Downs	McDonald	Walker
Durand	McVea	Walsworth
Erdey	Montgomery	Welch
Fannin	Morrell	Winston
Farrar	Morrish	Wooton
Faucheux	Murray	Wright
Flavin	Nevers	
Frith	Odinet	
Total—103		

NAYS

Total—0

ABSENT

Kennard Peychaud
Total—2

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 247—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 11:2223(E), relative to the Municipal Police Employees' Retirement System; to provide with respect to disabilities received in the performance of official duties; to include blindness and loss of a limb as service-related disabilities for which a benefit equal to a member's final average compensation is payable; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 247 by Representative Montgomery

AMENDMENT NO. 1

On page 1, line 5, after "loss of" insert "the total use of"

AMENDMENT NO. 2

On page 2, line 9, after "who loses" insert "the total use of"

Rep. Montgomery moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Peychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinet	
Fruge	Perkins	
Total—103		

NAYS

Total—0

ABSENT

Curtis Kennard

Page 84 HOUSE

42nd Day's Proceedings - June 16, 2003

Total—2

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 334— BY REPRESENTATIVE PINAC

AN ACT

To repeal R.S. 3:3654(E)(3) and (4)(e), relative to financing statements for farm products; to repeal the requirement of the signature of the debtor; to repeal the requirement of a general property description; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed House Bill No. 334 by Representative Pinac

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 3:3654(E)(4)(e) and to"

AMENDMENT NO. 2

On page 1, line 2, after "(3)" delete "and (4)(e)"

AMENDMENT NO. 3

On page 1, line 3, after "products:" insert "to provide for registry requirements on financing statements;"

AMENDMENT NO. 4

On page 1, between lines 6 and 7, insert the following:

"Section 1. 3654 Central registry

* * *

E. Effective financing statements shall be subject to the following provisions. Each effective financing statement shall:

- (1) Be an original or reproduced copy thereof.
- (2) ~~Be signed and~~ filed with the filing officer by the creditor.
- (3) ~~Be signed by the debtor.~~
- (3) ~~(4)~~ Contain:

* * *

(e) A reasonable description of the property, including the farm name or its general location by section, township, and range, or otherwise, ~~and the parish in which the property is located at the time the statement is signed by the debtor or, alternatively, the Farm Service Agency of the United State Department of Agriculture (FSA) farm number.~~

(f) The name of the county or parish in which the farm products are produced or located.

(4) Be amended in writing, within three months, similarly ~~signed~~ and filed, to reflect material changes.

* * *

AMENDMENT NO. 5

On page 1, line 7, after "Section" change "1" to "2"

AMENDMENT NO. 6

On page 1, line 7, after "(3)" delete "and (4)(e) are" and insert "is" in lieu thereof

AMENDMENT NO. 7

On page 1, after line 8, insert the following:

"Section 3. The effective date of the provisions of this Act is subject to and contingent upon the approval of the United State Department of Agriculture."

Rep. Pinac moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Psychaud
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Honey	Scalise
Broome	Hopkins	Schneider
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Capella	Hutter	Smith, G.—56th
Carter, K	Iles	Smith, J.D.—50th
Carter, R	Jackson, L	Smith, J.H.—8th
Cazayoux	Jackson, M	Smith, J.R.—30th
Crane	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Doerge	Martiny	Tucker
Downer	McDonald	Waddell
Downs	McVea	Walker
Durand	Montgomery	Walsworth
Erdey	Morrell	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Nevers	Wright
Flavin	Odinet	
Frith	Perkins	

Total—103

NAYS

Total—0

ABSENT

Hill

Kennard

Total—2

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 340—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 13:3204(A) and 3205, relative to personal jurisdiction over nonresidents; to provide for service of process in divorce proceedings; to provide for service of process in summary proceedings; to provide for the rendering of judgments; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 340 by Representative Baldone

AMENDMENT NO. 1

On page 2, line 11, after "proceeding" insert ", except for actions pursuant to R.S. 46:2131, et seq."

Rep. Baldone moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:
YEAS

Mr. Speaker	Frith	Peychaud
Alario	Fruge	Pierre
Alexander	Futrell	Pinac
Ansardi	Gallot	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Smith, G.—56th
Capella	Hunter	Smith, J.D.—50th
Carter, K	Hutter	Smith, J.H.—8th
Carter, R	Iles	Smith, J.R.—30th
Cazayoux	Jackson, L	Sneed
Crane	Jackson, M	Stelly
Crowe	Johns	Strain
Curtis	Kenney	Swilling
Damico	LaFleur	Thompson
Daniel	Lancaster	Toomy
Dartez	Landrieu	Townsend
Devillier	LeBlanc	Triche
Diez	Lucas	Tucker
Doerge	Martiny	Waddell
Downer	McDonald	Walker

Downs

Montgomery

Walsworth

Durand

Morrell

Welch

Erdey

Morrish

Winston

Fannin

Murray

Wooton

Farrar

Nevers

Wright

Faucheux

Odinet

Flavin

Perkins

Total—100

NAYS

Total—0

ABSENT

Glover

Kennard

Shaw

Katz

McVea

Total—5

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 409—

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 27:25.1, relative to the Video Draw Poker Devices Control Law; to prohibit the assessment of costs on the prevailing party in an administrative proceeding or an appeal; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Martiny, the bill was returned to the calendar.

HOUSE BILL NO. 420—

BY REPRESENTATIVES MURRAY AND HEATON

AN ACT

To enact R.S. 13:1222, relative to the clerk of the Orleans Parish Civil District Court; to authorize the clerk to purchase or lease two motor vehicles for the use of the office and to pay the premiums on the insurance for those motor vehicles; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 420 by Representative Murray

AMENDMENT NO. 1

On page 1, line 4, after "office" insert "for certain purposes"

AMENDMENT NO. 2

On page 1, line 14, after "office" insert "provided that such vehicles shall be used only for the transportation of the official records of the office"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Johnson to Reengrossed House Bill No. 420 by Representative Murray

AMENDMENT NO. 1

Page 86 HOUSE

42nd Day's Proceedings - June 16, 2003

Delete Senate Committee Amendment No. 2, proposed by the Senate Committee on Judiciary A and adopted by the Senate on June 4, 2003

AMENDMENT NO. 2

On page 1, line 14, after "motor vehicles" delete "for the use of the office" and insert "to be used for official office use only"

Rep. Murray moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinet
Alario	Fruge	Perkins
Alexander	Futrell	Peychaud
Arnold	Gallot	Pierre
Baldone	Glover	Pinac
Baudoin	Green	Pitre
Baylor	Guillory	Powell
Beard	Hammett	Quezaire
Bowler	Heaton	Richmond
Broome	Hebert	Romero
Bruce	Hill	Salter
Bruneau	Honey	Scalise
Capella	Hopkins	Schneider
Carter, K	Hudson	Schwegmann
Carter, R	Hunter	Smith, G.—56th
Cazayoux	Hutter	Smith, J.D.—50th
Crane	Iles	Smith, J.H.—8th
Crowe	Jackson, L	Smith, J.R.—30th
Curtis	Jackson, M	Sneed
Damico	Johns	Stelly
Daniel	Katz	Strain
Dartez	Kenney	Swilling
Devillier	LaFleur	Thompson
Diez	Lancaster	Toomy
Doerge	Landrieu	Townsend
Downer	LeBlanc	Triche
Downs	Lucas	Tucker
Durand	McDonald	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Total—99		

NAYS

Shaw
Total—1

ABSENT

Ansardi	Martiny	Welch
Kennard	McVea	
Total—5		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 520— BY REPRESENTATIVE JOHNS

AN ACT

To enact R.S. 9:2794(D), relative to expert witnesses; to provide for qualifications of expert witnesses in medical malpractice actions against physicians; to provide for definitions; to provide for court

discretion in determining qualifications; to provide for exceptions; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Reengrossed House Bill No. 520 by Representative Johns

AMENDMENT NO. 1

On page 2, delete line 26, and insert "in that area."

AMENDMENT NO. 2

On page 3, line 6, after "physician" delete the remainder of the line and insert "from"

AMENDMENT NO. 3

On page 3, line 7, between "expert" and the period "." insert "solely because he is a defendant in a medical malpractice claim"

Rep. Johns moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, K	Hutter	Smith, J.D.—50th
Carter, R	Iles	Smith, J.H.—8th
Cazayoux	Jackson, L	Smith, J.R.—30th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downer	Martiny	Waddell
Downs	McDonald	Walker
Durand	McVea	Walsworth
Erdey	Montgomery	Welch
Fannin	Morrell	Winston
Farrar	Morrish	Wooton
Faucheux	Murray	Wright

Flavin
Frith
Total—103

Nevers
Odinet

NAYS

Total—0

ABSENT

Kennard
Total—2

Psychaud

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 531—

BY REPRESENTATIVES PITRE, JOHNS, AND WALSWORTH
AN ACT

To enact R.S. 49:213.9, relative to property rights; to limit recovery for property taken or affected by coastal restoration; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Hainkel to Engrossed House Bill No. 531 by Representative Pitre (Duplicate of Senate Bill No. 267)

AMENDMENT NO. 1

On page 2, line 10, between "as" and "House" insert the following:

"Senate Bill No. 224 or"

AMENDMENT NO. 2

On page 2, line 12, between "and" and "becomes" insert the following:

"at the same time as such proposed amendment"

AMENDMENT NO. 3

On page 2, below line 12, add the following:

"Section 4. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed House Bill No. 531 by Representative Pitre

AMENDMENT NO. 1

Delete Senate Conforming Floor Amendment No. 3 proposed by Senator Hainkel and adopted by the Senate on May 12, 2003.

Rep. Pitre moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Pierre
Alario	Fruge	Pinac
Alexander	Futrell	Pitre
Ansardi	Gallot	Quezaire
Arnold	Glover	Richmond
Baldone	Green	Romero
Baudoin	Guillory	Salter
Baylor	Hammett	Scalise
Beard	Heaton	Schneider
Bowler	Hebert	Schwegmann
Broome	Hopkins	Shaw
Bruce	Hudson	Smith, G.—56th
Bruneau	Hunter	Smith, J.D.—50th
Capella	Hutter	Smith, J.H.—8th
Carter, R	Iles	Smith, J.R.—30th
Cazayoux	Johns	Sneed
Crane	Katz	Stelly
Crowe	Kenney	Strain
Curtis	LaFleur	Thompson
Daniel	Lancaster	Toomy
Dartez	Landrieu	Townsend
Devillier	LeBlanc	Triche
Diez	Lucas	Tucker
Doerge	Martiny	Waddell
Downer	McDonald	Walker
Downs	McVea	Walsworth
Durand	Montgomery	Winston
Erdey	Morrish	Wooton
Fannin	Nevers	Wright
Farrar	Odinet	
Flavin	Perkins	
Total—91		

NAYS

Carter, K	Jackson, M	Powell
Faucheux	Morrell	Welch
Honey	Murray	
Jackson, L	Psychaud	
Total—10		

ABSENT

Damico	Kennard
Hill	Swilling
Total—4	

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 590—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 13:851, relative to fees in criminal matters in the Fortieth Judicial District Court; to require an additional fee in criminal matters, including traffic cases; to provide for use of the fee by the office of the clerk of court; to provide for an annual audit; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Page 88 HOUSE

42nd Day's Proceedings - June 16, 2003

Amendments proposed by Senator Chaisson to Engrossed House Bill No. 590 by Representative Fauchaux

AMENDMENT NO. 1

On page 1, line 5, after "audit;" and before "and" insert "to require the local governing authority to enact an ordinance approving the additional costs;"

AMENDMENT NO. 2

On page 2, after line 11, insert the following:

"C. The Fortieth Judicial District Court shall not assess the additional costs authorized by this Section until the local governing authority of St. John the Baptist Parish enacts an ordinance approving the assessment of these additional costs."

Rep. Fauchaux moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Psychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Honey	Salter
Bowler	Hopkins	Schneider
Broome	Hudson	Schwegmann
Bruce	Hunter	Shaw
Bruneau	Hutter	Smith, G.—56th
Capella	Iles	Smith, J.D.—50th
Carter, K	Jackson, L	Smith, J.H.—8th
Carter, R	Jackson, M	Smith, J.R.—30th
Cazayoux	Johns	Sneed
Crowe	Katz	Stelly
Curtis	Kenney	Strain
Damico	LaFleur	Swilling
Daniel	Lancaster	Thompson
Dartez	Landrieu	Toomy
Devillier	LeBlanc	Townsend
Diez	Lucas	Triche
Doerge	Martiny	Tucker
Downer	McDonald	Waddell
Downs	McVea	Walker
Durand	Montgomery	Walsworth
Erdey	Morrell	Welch
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Fauchaux	Nevers	Wright
Flavin	Odinet	
Frith	Perkins	
Total—100		

NAYS

Total—0

ABSENT

Crane	Hill	Scalise
Futrell	Kennard	

Total—5

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 599—

BY REPRESENTATIVES JOHNS AND FRUGE

AN ACT

To amend and reenact R.S. 40:1299.41(A)(1) and to enact R.S. 40:1299.41(A)(21), relative to medical malpractice; to provide for definitions; to provide for emergency medical services rendered in certain circumstances; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Michot to Engrossed House Bill No. 599 by Representative Johns (Duplicate of Senate Bill No. 742)

AMENDMENT NO. 1

On page 2, line 22, change "is" to "would be"

AMENDMENT NO. 2

On page 2, line 23, change "law" to "laws"

Rep. Johns moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, K	Hutter	Smith, J.D.—50th
Carter, R	Iles	Smith, J.H.—8th
Cazayoux	Jackson, L	Smith, J.R.—30th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downer	Martiny	Waddell
Downs	McDonald	Walker
Durand	McVea	Walsworth
Erdey	Montgomery	Welch
Fannin	Morrell	Winston
Farrar	Morrish	Wooton

Faucheux
Flavin
Frith
Total—103

Murray
Nevers
Odinet

Wright

NAYS

Total—0

ABSENT

Kennard
Total—2

Psychaud

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 623—

BY REPRESENTATIVES THOMPSON, BAUDOIN, BRUCE, CAZAYOUX, DOWNS, FANNIN, FRITH, HILL, KENNEY, LAFLEUR, MORRISH, JACK SMITH, AND STRAIN AND SENATOR SMITH

AN ACT

To amend and reenact R.S. 3:4278.2, relative to timber sales; to provide relative to the removal of timber without consent of certain minority ownership interests; to require publication of advertisements and other notification; to provide for the commencement of harvesting timber; to provide for the rights of nonconsenting owners; to provide for evidence of violations; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture, Forestry, Aquaculture and Rural Development to Reengrossed House Bill No. 623 by Representative Thompson

AMENDMENT NO. 1

On page 1, line 12, delete "theft;"

AMENDMENT NO. 2

On page 4, line 24, after "evidence of" delete the remainder of the line

AMENDMENT NO. 3

On page 4, delete line 25 and insert "a violation of R.S. 3:4278.1."

Rep. Thompson moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Alexander
Ansardi
Arnold
Baldone
Baudoin
Baylor
Beard
Bowler
Broome

Fruge
Futrell
Gallot
Glover
Green
Guillory
Hammett
Heaton
Hebert
Hill
Honey

Perkins
Psychaud
Pierre
Pinac
Pitre
Powell
Quezaire
Richmond
Romero
Salter
Scalise

Bruce
Bruneau
Capella
Carter, K
Carter, R
Cazayoux
Crane
Crowe
Curtis
Damico
Daniel
Dartez
Devillier
Diez
Doerge
Downer
Downs
Durand
Erdey
Fannin
Farrar
Faucheux
Flavin
Frith
Total—103

Hopkins
Hudson
Hunter
Hutter
Iles
Jackson, L
Jackson, M
Johns
Katz
Kenney
LaFleur
Lancaster
Landrieu
LeBlanc
Lucas
Martiny
McDonald
McVea
Montgomery
Morrell
Morrish
Murray
Nevers
Odinet
Total—103

Schneider
Schwegmann
Shaw
Smith, G.—56th
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
Sneed
Stelly
Strain
Swilling
Thompson
Toomy
Townsend
Triche
Tucker
Waddell
Walker
Welch
Winston
Wooton
Wright

NAYS

Total—0

ABSENT

Kennard
Total—2

Walsworth

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 706—

BY REPRESENTATIVES MARTINY AND SCHNEIDER

AN ACT

To enact R.S. 15:574.4(H)(4)(r), relative to conditions of parole; to provide that the Board of Parole may require additional conditions of parole; to provide for agreements to searches of the person, personal effects, property, place of residence, or vehicle of that person; to provide relative to the conducting of the searches; to provide that the searches may be conducted with or without a warrant of arrest or with or without a search warrant under certain conditions; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C Jones to Reengrossed House Bill No. 706 by Representative Martiny

AMENDMENT NO. 1

On page 2, line 10, after "activity" insert "since his release on parole"

Rep. Martiny moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

Page 90 HOUSE

42nd Day's Proceedings - June 16, 2003

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Fauchoux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinet	
Total—104		

NAYS

Total—0

ABSENT

Kennard
Total—1

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 711—

BY REPRESENTATIVES HAMMETT AND DEWITT
AN ACT

To enact R.S. 33:4548.5(A)(20) and 4548.6(N), relative to the powers of the Louisiana Local Government Environmental Facilities and Community Development Authority; to provide that the authority may make loans to political subdivisions under any loan guaranty program of any department or agency of the United States; to authorize political subdivisions to borrow from the authority; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Engrossed House Bill No. 711 by Representative Hammett
AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and insert "amend and reenact R.S. 33:4548.4(C) and to enact R.S. 33:4548.5(A)(20), (21), (22), and (23) and 4548.6(N) and (O), relative to the creation and powers of the"

AMENDMENT NO. 2

On page 1, line 7, after "authority;" insert "to provide for contracts of the authority; to provide for the member's terms;"

AMENDMENT NO. 3

On page 1, line 10, after "Section 1." delete the remainder of the line and insert "R.S. 33:4548.4(C) is hereby amended and reenacted and R.S. 33:4548.5(A)(20), (21), (22), and (23) and 4548.6(N) and (O) are hereby enacted"

AMENDMENT NO. 4

On page 1, between lines 11 and 12, insert the following:

"§4548.4. Creation of the authority

* * *

C. Each director shall be appointed for a term of ~~four~~ two years from the date his appointment is approved by the governing authority of a participating political subdivision. There shall never be less than three members or directors serving on the board of directors.

* * *

AMENDMENT NO. 5

On page 2, between lines 6 and 7, insert the following:

"(21) Notwithstanding any provision of law to the contrary, to contract to exercise powers of the authority and to enter into contracts which the authority deems necessary in carrying out the authority's powers.

"(22) Notwithstanding any provision of law to the contrary, to contract with any political subdivision for the exercise by the authority of any of the authority's powers as set out in this Chapter.

"(23) Notwithstanding any provision of law to the contrary, to contract or invest any funds, monies, or bond proceeds of the authority or of any political subdivision in such manner as shall be deemed by the authority to be prudent."

AMENDMENT NO. 6

On page 2, between lines 15 and 16, insert the following:

"O. Notwithstanding any provision of law to the contrary, a political subdivision may contract with the authority for the exercise by the authority of any of the authority's powers as set out in this Chapter."

Rep. Hammett moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Odinet
Alario	Futrell	Perkins
Alexander	Gallot	Peychaud
Ansardi	Glover	Pierre
Arnold	Green	Pinac
Baldone	Guillory	Pitre
Baudoin	Hammett	Powell
Baylor	Heaton	Quezaire
Beard	Hebert	Richmond
Bowler	Hill	Romero
Broome	Honey	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Capella	Hunter	Schwegmann
Carter, K	Hutter	Shaw
Carter, R	Iles	Smith, G.—56th
Cazayoux	Jackson, L	Smith, J.D.—50th
Crowe	Jackson, M	Smith, J.H.—8th
Curtis	Johns	Smith, J.R.—30th
Damico	Katz	Sneed
Daniel	Kenney	Stelly
Dartez	LaFleur	Strain
Devillier	Lancaster	Swilling
Diez	Landrieu	Thompson
Doerge	LeBlanc	Toomy
Downer	Lucas	Townsend
Downs	Martiny	Triche
Durand	McDonald	Tucker
Erdey	McVea	Waddell
Fannin	Montgomery	Walker
Farrar	Morrell	Walsworth
Faucheux	Morrish	Winston
Flavin	Murray	Wooton
Frith	Nevers	Wright
Total—102		

NAYS

Total—0

ABSENT

Crane	Kennard	Welch
Total—3		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 733—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 13:2496.3(H) and to enact R.S. 13:2496.3(G)(6) and (7), relative to the first appearance hearing officer of the Municipal Court of New Orleans; to provide for additional duties of the office; to provide for the provisions terminating the office and evaluation by the Judicial Council on continuing the office; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 733 by Representative Murray

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "amend and reenact R.S. 13:2496.3(H) and to"

AMENDMENT NO. 2

On page 1, line 3, after "and (7)" and before the comma "," insert "and to repeal R.S. 13:2496.3(H)"

AMENDMENT NO. 3

On page 1, delete line 5 in its entirety and on line 6 delete "Judicial Council on continuing the office; and insert in lieu thereof "repeal the provisions terminating the office and evaluation by the Judicial Council on continuing the office;"

AMENDMENT NO. 4

On page 1, line 12, after "Section 1." delete "R.S. 13:2496.3(H) is hereby amended and reenacted and"

AMENDMENT NO. 5

On page 2, delete lines 8 through 15 and insert in lieu thereof"

"Section 2. R.S. 13:2496.3(H) is hereby repealed in its entirety."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 733 by Representative Murray

AMENDMENT NO. 1

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Judiciary B, adopted by the Senate on June 4, 2003, on line 9, following "office;" insert close quotes ""

Rep. Murray moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Futrell	Peychaud
Alario	Gallot	Pierre
Alexander	Glover	Pinac
Ansardi	Green	Pitre
Arnold	Guillory	Powell
Baldone	Hammett	Quezaire
Baudoin	Heaton	Richmond
Baylor	Hebert	Romero
Beard	Hill	Salter
Bowler	Honey	Scalise
Broome	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Crowe	Katz	Sneed
Damico	Kenney	Stelly
Daniel	LaFleur	Strain

Page 92 HOUSE

42nd Day's Proceedings - June 16, 2003

Dartez	Lancaster	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Doerge	Lucas	Townsend
Downer	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Frith	Odinot	
Frige	Perkins	
Total—100		

NAYS

Total—0

ABSENT

Bruce	Hopkins	Welch
Curtis	Kennard	
Total—5		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1091—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 13:982(G)(1)(a) and (I)(2)(b), to enact R.S. 13:501(B)(3)(d) and (e), and to repeal R.S. 13:982(E), relative to judges in the Fortieth Judicial District; to set the per page court reporter fees for transcribed and copied testimony in civil and criminal matters; to authorize the judges to provide for additional matters to be held on the east bank of the Mississippi River with the consent of all of the judges after a certain date; to authorize a defendant to waive the requirement that certain criminal matters be held on the west bank of the river; to repeal certain duties of the court reporters; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 1091 by Representative Faucheux

AMENDMENT NO. 1

On page 1, line 3, after "(e)" insert "and 587.3"

AMENDMENT NO. 2

On page 1, line 3, after "relative to" insert "certain district court"

AMENDMENT NO. 3

On page 1, line 4, delete "in the Fortieth Judicial District"

AMENDMENT NO. 4

On page 1, line 8, after "date;" insert "to authorize the judges in the Nineteenth Judicial District by court rule to assign matters to be heard by specified divisions;"

AMENDMENT NO. 5

On page 2, line 2, after "(e)" insert "and 587.3"

AMENDMENT NO. 6

On page 2, after line 26, insert the following:

"§587.3. Nineteenth Judicial District; divisions; subject matter

A. Respecting seniority and the requirement that all cases be assigned randomly within multi-judge groupings, the judges of the Nineteenth Judicial District Court, by rule adopted by a majority vote of the judges sitting en banc, with the consent of the judge of a division, may assign to that division criminal matters or civil matters or drug court matters or any or all types of matters of which the court has jurisdiction.

B. Notwithstanding any principal assignments to divisions, all divisions of the court shall retain general jurisdiction to hear all matters.

* * *

AMENDMENT NO. 7

On page 3, line 18, delete "criminal court cost fund" and insert "St. John Parish Council General Fund"

Rep. Faucheux moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Perkins
Alario	Frige	Peychaud
Alexander	Futrell	Pierre
Ansardi	Gallot	Pinac
Arnold	Glover	Pitre
Baldone	Green	Powell
Baudoin	Guillory	Quezaire
Baylor	Hammett	Richmond
Beard	Heaton	Romero
Bowler	Hebert	Salter
Broome	Hill	Scalise
Bruce	Honey	Schneider
Bruneau	Hopkins	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	LaFleur	Strain
Daniel	Lancaster	Swilling
Dartez	Landrieu	Thompson
Devillier	LeBlanc	Toomy
Diez	Lucas	Townsend
Doerge	Martiny	Triche
Downer	McDonald	Tucker
Downs	McVea	Waddell
Durand	Montgomery	Walker
Erdey	Morrell	Walsworth
Fannin	Morrish	Winston
Farrar	Murray	Wooton
Faucheux	Nevers	Wright
Flavin	Odinot	
Total—101		

NAYS

Total—0

ABSENT

Hudson Kenney
Kennard Welch
Total—4

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 1118—
BY REPRESENTATIVES TOOMY AND BRUCE
AN ACT

To enact R.S. 15:85.1, relative to original bonds; to provide for a fee to be assessed in connection with certain criminal bonds posted; to provide for the collection of the fees; to provide for the distribution of the fee proceeds; to provide for the creation of a crime lab committee in each parish and to provide for its membership and duties; to provide for criteria in determining which persons may petition the court for a waiver of the fees; to provide for refunds of the fees; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 1118 by Representative Toomy

AMENDMENT NO. 1

On page 1, line 3, after "with" change "certain criminal bonds" to "every criminal bond"

AMENDMENT NO. 2

On page 1, line 8, after "waiver" insert "or refund" and after "fees;" delete "to provide for refunds of the fees;"

AMENDMENT NO. 3

On page 1, line 13, after "A" insert "(1)"

AMENDMENT NO. 4

On page 1, at the end of line 14, delete "commercial surety"

AMENDMENT NO. 5

On page 1, line 15, after "posted" delete "for felony arrests"

AMENDMENT NO. 6

On page 1, line 17, after "criminal" delete "commercial surety"

AMENDMENT NO. 7

On page 2, line 1, before "The" insert "(2)"

AMENDMENT NO. 8

On page 2, at the beginning of line 4, change "(1)" to "(a)"

AMENDMENT NO. 9

On page 2, at the beginning of line 6, change "(2)" to "(b)"

AMENDMENT NO. 10

On page 2, at the beginning of line 8, change "(3)" to "(c)"

AMENDMENT NO. 11

On page 2, at the beginning of line 11, change "(4)" to "(d)"

AMENDMENT NO. 12

On page 2, at the beginning of line 14, change "(5)" to "(e)"

AMENDMENT NO. 13

On page 2, at the end of line 25, change "by signing a statement to that effect shall" to "may petition the district court for a waiver or refund of the fee assessed pursuant to the provisions of this Section."

AMENDMENT NO. 14

On page 3, delete lines 1 and 2

AMENDMENT NO. 15

On page 3, line 4, after "dismissed" delete the remainder of the line, delete line 5 and 6, and insert "may petition the district court for a refund of the fee assessed pursuant to the provisions of this Section."

Rep. Toomy moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Morrish
Alario	Frith	Murray
Alexander	Fruge	Odinot
Ansardi	Gallot	Psychaud
Arnold	Glover	Pierre
Baldone	Green	Pitre
Baudoin	Guillory	Powell
Baylor	Hammett	Quezaire
Beard	Heaton	Richmond
Bruce	Hebert	Romero
Carter, K	Hill	Salter
Carter, R	Honey	Schwegmann
Cazayoux	Hopkins	Smith, G.—56th
Crane	Hudson	Smith, J.D.—50th
Crowe	Hutter	Smith, J.H.—8th
Curtis	Iles	Smith, J.R.—30th
Damico	Jackson, M	Stelly
Daniel	Johns	Strain
Dartez	Kenney	Swilling
Devillier	LaFleur	Thompson
Diez	Lancaster	Toomy
Doerge	Landrieu	Townsend
Downer	LeBlanc	Triche
Downs	Lucas	Walker
Durand	Martiny	Welch
Erdey	McDonald	Wooton
Fannin	McVea	Wright
Farrar	Montgomery	

Page 94 HOUSE

42nd Day's Proceedings - June 16, 2003

Faucheux
Total—85

Morrell

NAYS

Bowler
Broome
Bruneau
Capella
Futrell
Total—15

Hunter
Jackson, L
Nevers
Perkins
Schneider

Shaw
Sneed
Tucker
Waddell
Walsworth

ABSENT

Katz
Kennard
Total—5

Pinac
Scalise

Winston

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1228—

BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact Children's Code Article 423(A)(2) and (3), relative to juvenile court; to authorize hearing officers to accept agreements reached in mediation; to provide for application to parishes with a population over four hundred forty thousand; to provide for expiration; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1228 by Representative Ansardi

AMENDMENT NO. 1

On page 1, line 2, following "and" and before "(3)" insert "to enact Children's Code Article 423(A)"

AMENDMENT NO. 2

On page 1, lines 8 and 9, following "(2)" change "and (3) is hereby amended and reenacted" to "is hereby amended and reenacted and Children's Code Article 423(A)(3) is hereby enacted"

Rep. Ansardi moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Alario
Alexander
Ansardi
Arnold
Baldone
Baudoin
Baylor
Beard
Bowler
Broome
Bruce

Frith
Fruge
Futrell
Gallot
Glover
Green
Guillory
Hammett
Heaton
Hebert
Hill
Honey

Perkins
Peychaud
Pierre
Pinac
Pitre
Powell
Quezaire
Richmond
Romero
Salter
Scalise
Schneider

Bruneau
Capella
Carter, K
Carter, R
Cazayoux
Crane
Crowe
Curtis
Damico
Daniel
Dartez
Devillier
Diez
Doerge
Downer
Downs
Durand
Erdey
Fannin
Farrar
Faucheux
Flavin
Total—102

Hopkins
Hunter
Hutter
Iles
Jackson, L
Johns
Katz
Kenney
LaFleur
Lancaster
Landrieu
LeBlanc
Lucas
Martiny
McDonald
McVea
Montgomery
Morrell
Morrish
Murray
Nevers
Odinet

Schwegmann
Shaw
Smith, G.—56th
Smith, J.D.—50th
Smith, J.H.—8th
Smith, J.R.—30th
Sneed
Stelly
Strain
Swilling
Thompson
Toomy
Townsend
Triche
Tucker
Waddell
Walker
Walsworth
Welch
Winston
Wooton
Wright

NAYS

Total—0

ABSENT

Hudson
Total—3

Jackson, M

Kennard

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1377—

BY REPRESENTATIVES DEWITT AND JOHNS

AN ACT

To amend and reenact R.S. 40:1299.41(J), relative to the Medical Malpractice Act; to provide for legal counsel for the Patient's Compensation Fund; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Hainkel and Theunissen to Engrossed House Bill No. 1377 by Representative Dewitt

AMENDMENT NO. 1

On page 1, line 2, after "1299.41(J)" and before the comma "," insert "and to enact R.S. 40:1299.44(D)(2)(b)(xii)"

AMENDMENT NO. 2

On page 1, line 6, after "reenacted" insert "and R.S. 40:1299.44(D)(2)(b)(xii) is hereby enacted"

AMENDMENT NO. 3

On page 2, between lines 4 and 5, insert the following:

"* * *

§1299.44. Patient's Compensation Fund

* * *

D.(1)

* * *

(2)

* * *

(b) In addition to such other powers and authority elsewhere expressly or impliedly conferred on the board by this Part, the board shall have the authority, to the extent not inconsistent with the provisions of this Part, to:

* * *

(xii) Intervene as a matter of right, at its discretion, in any civil action or proceeding in which the constitutionality of this Part, R.S. 9:5628, R.S. 9:5628.1 and/or any other Louisiana law related to medical malpractice as defined in this Part is challenged."

Rep. Johns moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hutter	Shaw
Carter, K	Iles	Smith, G.—56th
Carter, R	Jackson, L	Smith, J.D.—50th
Cazayoux	Jackson, M	Smith, J.H.—8th
Crane	Johns	Smith, J.R.—30th
Curtis	Katz	Sneed
Damico	Kenney	Stelly
Daniel	LaFleur	Strain
Dartez	Lancaster	Swilling
Devillier	Landrieu	Thompson
Diez	LeBlanc	Toomy
Doerge	Lucas	Townsend
Downer	Martiny	Triche
Downs	McDonald	Tucker
Durand	McVea	Waddell
Erdey	Montgomery	Walker
Fannin	Morrell	Walsworth
Farrar	Morrish	Welch
Faucheux	Murray	Winston
Flavin	Nevers	Wooton
Frith	Odinet	Wright

Total—102

NAYS

Crowe

Total—1

ABSENT

Hunter

Kennard

Total—2

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1448—

BY REPRESENTATIVES HEBERT, ERDEY, BOWLER, CAPELLA, MORRISH, GARY SMITH, BALDONE, GLOVER, SCALISE, AND WALSWORTH

AN ACT

To enact Part XXXI-A of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1481 through 1494, relative to the use of credit information for personal insurance; to provide for requirements and restrictions; to provide for corrections; to provide for notification; to provide for filings; to provide for indemnification; to provide for applicability; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 1448 by Representative Hebert

AMENDMENT NO. 1

On page 4, line 24, change "ninety" to "one hundred and eighty"

AMENDMENT NO. 2

On page 7, line 11, after "Create" insert "unreasonable"

AMENDMENT NO. 3

On page 7, line 13, delete "actuarially" and after "justified" insert "by actuarial or statistical data or sound underwriting criteria"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1448 by Representative Hebert

AMENDMENT NO. 1

On page 2, line 5, following "dwelling" and before "insurance" change "dire" to "fire"

AMENDMENT NO. 2

On page 7, line 19, following "U.S.C." and before "(a)(5)" change "1681(i)" to "1681i"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Reengrossed House Bill No. 1448 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and insert in lieu thereof the following:

Page 96 HOUSE

42nd Day's Proceedings - June 16, 2003

"enact R.S. 22:652.5, relative to automobile insurance; to prohibit use of credit information in determining whether to refuse to issue or renew, to increase premiums, or cancel coverage on a policy; to provide for penalties; and to provide for related matters."

AMENDMENT NO. 2

On page 1, delete lines 3 through 8

AMENDMENT NO. 3

On page 1, line 10, after "Section 1." delete the remainder of the line and insert in lieu thereof the following:

"R.S. 22:652.5 is hereby enacted to read as follows:"

AMENDMENT NO. 4

On page 1, delete lines 11 through 17, and insert in lieu thereof the following:

"§652.5. Prohibited use of credit information; issuance of automobile liability insurance

R.S. 22:652.5 is all proposed new law.

A. No insurer may obtain or use any credit report or other credit information regarding the credit worthiness of any insured or applicant for automobile insurance.

B. The use of a credit report or other credit information to refuse to issue or renew, increase the premium, or cancel an automobile policy is prohibited.

C. A violation of this Section shall constitute an unfair trade practice and shall be subject to the provisions of R.S. 22:1211 et seq.

D. The commissioner of insurance shall promulgate rules and regulations necessary for the enforcement of this Section. The rules and regulations, at a minimum, shall provide for the suspension of the license of an insurer who violates the provisions of this Section or any rule or regulation adopted pursuant to this Section."

AMENDMENT NO. 5

On page 2, delete lines 1 through 26 and delete pages 3 through 11, and on page 12, delete lines 1 through 4

Rep. Hebert moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Flavin	Nevers
Alario	Frith	Odinot
Alexander	Fruge	Pierre
Ansardi	Futrell	Pinac
Arnold	Gallot	Pitre
Baldone	Glover	Powell
Baudoin	Green	Quezaire
Baylor	Guillory	Richmond
Beard	Hammett	Romero
Bowler	Heaton	Salter
Broome	Hebert	Scalise
Bruce	Hill	Schneider
Bruneau	Honey	Schwegmann

Capella	Hopkins	Shaw
Carter, K	Hunter	Smith, G.—56th
Carter, R	Hutter	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.R.—30th
Crane	Jackson, M	Sneed
Curtis	Johns	Stelly
Damico	Katz	Strain
Daniel	Kenney	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walsworth
Erdey	Montgomery	Welch
Fannin	Morrell	Winston
Farrar	Morrish	Wooton
Faucheux	Murray	Wright
Total—96		

NAYS

Crowe
Total—2

Perkins

ABSENT

Hudson
Iles
Kennard
Total—7

LaFleur
Peychaud
Smith, J.H.—8th

Walker

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 1582—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 47:1992(C), relative to the assessment of property for ad valorem tax purposes; to provide that complaints filed with local boards of review by certified mail shall be received at the board office no later than seven days prior to the public hearing; to provide that complaints may be filed by facsimile transmission to the board office and shall be received at the board office no later than seven days prior to the public hearing; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 1582 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 2, after "1992(C)" insert "and to enact R.S. 47:1979"

AMENDMENT NO. 2

On page 1, line 3, after "purposes;" insert "to provide for the ownership of certain property by tax assessors;"

AMENDMENT NO. 3

On page 1, line 11, after "reenacted" insert "and R.S. 47:1979 is hereby enacted"

AMENDMENT NO. 4

On page 1, between lines 12 and 13, insert the following:

"§1979. Listing and assessment of certain property in which assessor or his immediate family has an interest

Notwithstanding any other law to the contrary, a tax assessor and members of his immediate family as defined in R.S. 42:1102 may own property within the parish or district in the jurisdiction of the assessor. If a tax assessor or a member of his immediate family owns property within his jurisdiction, such assessor shall assess the property in accordance with all applicable provisions of law. For the purposes of this Section, "own" shall include a direct ownership, or ownership in part or through any legal entity. The tax assessor shall submit all such assessments to the Louisiana Tax Commission and the commission shall review those assessments for compliance with all applicable laws, rules, and regulations.

* * *

Rep. Daniel moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinot
Alario	Fruge	Perkins
Alexander	Futrell	Peychaud
Ansardi	Gallot	Pierre
Arnold	Glover	Pinac
Baldone	Green	Pitre
Baudoin	Guillory	Powell
Baylor	Hammett	Quezaire
Beard	Heaton	Richmond
Bowler	Hebert	Romero
Broome	Hill	Salter
Bruce	Honey	Scalise
Bruneau	Hopkins	Schneider
Capella	Hudson	Schwegmann
Carter, K	Hunter	Shaw
Carter, R	Hutter	Smith, G.—56th
Cazayoux	Iles	Smith, J.D.—50th
Crane	Jackson, L	Smith, J.R.—30th
Crowe	Jackson, M	Sneed
Curtis	Johns	Stelly
Damico	Katz	Strain
Daniel	Kenney	Swilling
Dartez	LaFleur	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Fauchoux	Murray	Wooton
Flavin	Nevers	Wright
Total—102		

NAYS

Total—0

ABSENT

Kennard Lancaster Smith, J.H.—8th
Total—3

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1614—

BY REPRESENTATIVES TUCKER AND ARNOLD

AN ACT

To amend and reenact R.S. 14:71.2, R.S. 16:15.1, and R.S. 47:820.5.1 and 820.5.2 and to enact R.S. 47:820.5.3, relative to toll collections on the Crescent City Connection and the Greater New Orleans Expressway; to provide for police powers of the Crescent City Connection Division and of the Greater New Orleans Expressway Commission; to facilitate collection of tolls by video or photo-monitoring systems; to provide penalties; to provide for the crime of failure to pay bridge or causeway tolls; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Reengrossed House Bill No. 1614 by Representative Tucker

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 16:15.1," delete "and"

AMENDMENT NO. 2

On page 1, line 3, change "820.5.2" to "820.5.2, and R.S. 48:1101.1(B)(2)(b)"

AMENDMENT NO. 3

On page 1, line 6, after "Commission;" insert "to provide for jurisdiction of the Crescent City Connection police;"

AMENDMENT NO. 4

On page 20, between lines 11 and 12, insert the following:

"Section 4. R.S. 48:1101.1(B)(2)(b) is hereby amended and reenacted to read as follows:

§1101.1. Crescent City Connection police

* * *

B.

* * *

(2)

* * *

(b) Notwithstanding the other provisions of this Subsection, the jurisdiction of the Crescent City Connection police on the Pontchartrain

Page 98 HOUSE

42nd Day's Proceedings - June 16, 2003

Expressway shall not extend beyond the South Broad Street Overpass in the city of New Orleans and the jurisdiction of the Crescent City Connection police on the Westbank Expressway shall not extend beyond the western most convergence of the Westbank Expressway and U.S. Highway 90, provided, however, the jurisdiction of the Crescent City Connection police on the westbank of the Mississippi River shall include the area bounded on the north by General Meyer Avenue, on the south by the Magellan Canal, on the west by Shirley Drive, and on the east by Pace Boulevard."

AMENDMENT NO. 5

On page 20, line 12, change "Section 4" to "Section 5" and on line 20, change "Section 5" to "Section 6"

Rep. Tucker moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Perkins
Alario	Futrell	Peychaud
Alexander	Gallot	Pierre
Ansardi	Glover	Pinac
Arnold	Green	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Welch
Fannin	Morrell	Winston
Farrar	Morrish	Wooton
Faucheux	Murray	Wright
Flavin	Nevers	
Frith	Odinet	
Total—103		

NAYS

Total—0

ABSENT

Kennard	Walsworth
Total—2	

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

HOUSE BILL NO. 1669—

BY REPRESENTATIVES THOMPSON, R. CARTER, BAUDOIN, CAZAYOUX, DOWNS, FANNIN, FRITH, HILL, KENNEY, MORRISH, JACK SMITH, AND STRAIN

AN ACT

To amend and reenact Part VI of Chapter 5 of Title 3 of the Louisiana Revised statutes of 1950, to be comprised of R.S. 3:551.1 through 551.12, relative to the production and sale of eggs in Louisiana; to provide relative to the composition of the Louisiana Egg Commission; to provide relative to the authority of the commission and the authority of the commissioner of agriculture and forestry to regulate the egg business; to provide relative to research on and marketing of eggs; to provide for fees and assessments; to provide relative to certain violations and penalties therefor; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Smith to Engrossed House Bill No. 1669 by Representative Thompson (Duplicate of Senate Bill No. 779)

AMENDMENT NO. 1

On page 12, line 13, change "legal" to "limited"

AMENDMENT NO. 2

On page 12, lines 16 and 17, delete "or intending to derive"

AMENDMENT NO. 3

On page 12, line 18, between "Commission" and "creation" insert a semicolon ";"

AMENDMENT NO. 4

On page 12, line 19, delete "and shall"

AMENDMENT NO. 5

On page 12, delete line 20 and insert in lieu thereof the following:

"within the department with its domicile at Baton"

AMENDMENT NO. 6

On page 12, line 22, change "board" to "commission"

AMENDMENT NO. 7

On page 13, line 10, change "board," to "commission,"

AMENDMENT NO. 8

On page 13, line 19, change "board" to "commission"

AMENDMENT NO. 9

On page 13, line 21, change "board" to "commission"

AMENDMENT NO. 10

On page 13, line 23, change "board," to "commission,"

AMENDMENT NO. 11

On page 14, line 3, change "board" to "commission"

AMENDMENT NO. 12

On page 14, line 5, change "board." to "commission."

AMENDMENT NO. 13

On page 14, line 5, change "its" to "the"

AMENDMENT NO. 14

On page 14, line 12, change "board" to "commission"

AMENDMENT NO. 15

On page 14, line 13, change "board." to "commission."

AMENDMENT NO. 16

On page 14, line 17, change "board" to "commission"

AMENDMENT NO. 17

On page 14, line 20, change "board" to "commission"

AMENDMENT NO. 18

On page 15, line 12, change "board's" to "commission's"

AMENDMENT NO. 19

On page 15, line 13, change "board" to "commission"

AMENDMENT NO. 20

On page 15, line 21, change "board." to "commission."

AMENDMENT NO. 21

On page 16, line 14, after "rulings" change the semicolon ";" to a comma ","

AMENDMENT NO. 22

On page 16, line 16, after "Part" change the semicolon ";" to a comma ","

AMENDMENT NO. 23

On page 16, line 24, change "selling." to "sale."

AMENDMENT NO. 24

On page 17, line 18, after "amount" delete "to" and between "equal" and "the" insert "to"

AMENDMENT NO. 25

On page 17, line 22, change "of the egg or" to "of the eggs or"

AMENDMENT NO. 26

On page 18, line 10, change "board." to "commission."

AMENDMENT NO. 27

On page 19, line 21, after "assessment" add a comma ","

AMENDMENT NO. 28

On page 21, line 20, change "board" to "commission"

AMENDMENT NO. 29

On page 21, line 25, change "board" to "commission"

AMENDMENT NO. 30

On page 22, line 3, change "board." to "commission."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Smith to Engrossed House Bill No. 1669 by Representative Thompson

AMENDMENT NO. 1

On page 22, line 10, change "Section 2." to "Section 4." and delete "This" and insert in lieu thereof the following:

"Except as provided in Sections 2 and 3 of this Act, the provisions of this"

AMENDMENT NO. 2

On page 22, between lines 9 and 10, insert the following:

"Section 2. The provisions of R.S. 3:551.3(B) and (D) as they relate to the composition of the commission, as amended in Section 1 of this Act, shall become effective at 12:00 o'clock noon on January 12, 2004.

Section 3. The provisions of R.S. 3:551.2(A) and (C) as they relate to the establishment and composition of the commission which are in effect prior to the effective date of this Act shall remain in effect until 12:00 o'clock noon on January 12, 2004, and thereafter shall be null and void."

Rep. Thompson moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Morrell
Alario	Fruge	Morrish
Ansardi	Gallot	Murray
Arnold	Glover	Odinot
Baldone	Green	Peychaud
Baudoin	Hammett	Pierre
Baylor	Heaton	Pinac
Bruce	Hill	Pitre
Bruneau	Honey	Powell
Carter, K	Hopkins	Quezaire
Carter, R	Hudson	Richmond
Cazayoux	Hunter	Salter
Crane	Hutter	Schwegmann
Curtis	Iles	Smith, J.D.—50th
Damico	Jackson, L	Smith, J.H.—8th
Daniel	Jackson, M	Smith, J.R.—30th
Darte	Johns	Stelly
Devillier	Kenney	Strain
Diez	LaFleur	Swilling
Doerge	Landrieu	Thompson
Downer	LeBlanc	Toomy
Downs	Lucas	Townsend
Durand	Martiny	Waddell
Farrar	McDonald	Walker

Page 100 HOUSE

42nd Day's Proceedings - June 16, 2003

Fauchoux
Flavin
Total—78

McVea
Montgomery

Welch
Wooton

NAYS

Alexander
Beard
Bowler
Broome
Capella
Crowe
Erdey
Fannin
Futrell
Total—26

Guillory
Hebert
Katz
Lancaster
Nevers
Perkins
Romero
Scalise
Schneider

Shaw
Smith, G.—56th
Sneed
Triche
Tucker
Walsworth
Winston
Wright

ABSENT

Kennard
Total—1

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 1944—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 27:93(A)(2)(introductory paragraph) and (a), (7)(introductory paragraph) and (e), and (8), to enact R.S. 27:93(A)(9), and to repeal R.S. 27:93(A)(2)(e), (f), and (i), relative to admission fees for riverboats; to provide for allocation of funds derived from riverboat boarding fees on certain riverboats in Bossier Parish; to provide for the levying of boarding fees in Bossier Parish in certain cases; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Montgomery, the bill was returned to the calendar.

HOUSE BILL NO. 2018 (Substitute for House Bill No. 1683 by Representative Landrieu, et al.)—

BY REPRESENTATIVES LANDRIEU, HUNTER, MARTINY, WINSTON, ALARIO, ANSARDI, ARNOLD, BALDONE, BAUDOUIN, BAYLOR, BROOME, BRUCE, CAPELLA, K. CARTER, CROWE, DAMICO, DANIEL, DARTEZ, DOERGE, DOWNER, DOWNS, FAUCHEUX, FRITH, GALLOT, GLOVER, GREEN, GUILLORY, HEATON, HEBERT, HILL, HONEY, HUDSON, ILES, L. JACKSON, JOHNS, KENNARD, LAFLEUR, LUCAS, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PEYCHAUD, PIERRE, PITRE, POWELL, QUEZAIRE, RICHMOND, ROMERO, SCHWEGMANN, JACK SMITH, SNEED, STELLY, STRAIN, TOOMY, TOWNSEND, WELCH, WOOTON, WRIGHT, CAZAYOUX, AND DANIEL AND SENATORS CRAVINS, BAJOE, LENTINI, MICHOT, MOUNT, BOISSIERE, CHAISSON, FIELDS, HOLDEN, HOLLIS, IRONS, B. JONES, MARIONNEAUX, SCHEDLER, TARVER, AND THOMAS

AN ACT

To amend and reenact R.S. 46:2601(A)(1), 2603(A) and (B)(2), 2604, and 2607 and to enact R.S. 15:902.2 and 902.3, Part XI-A of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1110, Chapter 14 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1461 through 1464, Subpart C-1 of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:251 and 252, R.S. 36:4(E), Part I of Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2600, R.S. 46:2605.1, 2605.2, and 2605.3, Part III of Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2608 through 2610, and Chapter 59 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2751 through 2757, to designate Part II of Chapter 45, comprising R.S. 46:2601 through 2606 as "Part II. Children's Cabinet, Children's Budget, and Affiliated Boards", all relative to the reform of juvenile justice; to create the

Juvenile Justice Reform Act of 2003; to provide with respect to the closure of Swanson Correctional Center for Youth-Madison Parish Unit; to create a juvenile placement review process; to establish juvenile detention standards and licensing procedures; to establish interagency agreements for sharing of juvenile information; to create the Juvenile Justice Reform Act Implementation Commission, including as one of its duties the creation of a plan for a single state entity for providing services to children and their families; to create the Education/Juvenile Justice Partnership Act; to continue until August 15, 2008, the Children's Cabinet; to provide definitions for certain provisions governing the Children's Cabinet and related boards and programs; to provide with respect to the powers and duties of the Children's Cabinet; to provide with respect to the preparation of the children's budget; to create the Children's Cabinet Research Council; to create the Louisiana Juvenile Justice Planning and Coordination Board; to provide for the standardization of service regions; to create the Louisiana Children's Children, Youth, and Families Investment Fund, to create the Community-based Sanctions and Services Grant Program; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 2018 by Representative Landrieu

AMENDMENT NO. 1

On page 50, line 15, after "7." delete "(A)"

AMENDMENT NO. 2

On page 50, delete lines 20 through 26

AMENDMENT NO. 3

On page 51, delete lines 1 through 8

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Cravins to Reengrossed House Bill No. 2018 by Representative Landrieu, et al

AMENDMENT NO. 1

On page 37, at the beginning of line 12, change "Medical Center" to "Health Sciences Center"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators C. Jones and Dardenne to Reengrossed House Bill No. 2018 by Representative Landrieu, et al

AMENDMENT NO. 1

Delete all Senate Committee Amendments proposed by the Senate Committee on Judiciary B and adopted by the Senate on June 9, 2003

AMENDMENT NO. 2

On page 50, line 20, delete "Savings" and insert in lieu thereof "The executive budget submitted annually by the governor shall provide that savings"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ullo to Reengrossed House Bill No. 2018 by Representative Landrieu

AMENDMENT NO. 1

On page 37, line 12, after "Center," insert "Louisiana State University School of Social Work, Office of Social Services Research and Development,"

AMENDMENT NO. 2

On page 41, line 12, after "study" insert "conducted by the Louisiana State University School of Social Work, Office of Social Services Research and Development and"

Rep. Landrieu moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fruge	Psychaud
Alario	Futrell	Pierre
Alexander	Gallot	Pinac
Ansardi	Glover	Pitre
Arnold	Green	Powell
Baldone	Guillory	Quezaire
Baudoin	Hammett	Richmond
Baylor	Heaton	Romero
Beard	Hebert	Salter
Bowler	Hill	Scalise
Broome	Honey	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Capella	Hunter	Smith, G.—56th
Carter, K	Hutter	Smith, J.D.—50th
Carter, R	Iles	Smith, J.H.—8th
Cazayoux	Jackson, L	Smith, J.R.—30th
Crane	Jackson, M	Sneed
Crowe	Johns	Stelly
Curtis	Katz	Strain
Damico	Kenney	Swilling
Daniel	LaFleur	Thompson
Dartez	Lancaster	Toomy
Devillier	Landrieu	Townsend
Diez	LeBlanc	Triche
Doerge	Lucas	Tucker
Downer	Martiny	Waddell
Downs	McDonald	Walker
Durand	McVea	Walsworth
Erdey	Montgomery	Welch
Fannin	Morrell	Winston
Farrar	Morrish	Wooton
Fauchaux	Murray	Wright
Flavin	Nevers	
Frith	Perkins	
Total—103		

NAYS

Total—0

ABSENT

Kennard	Odinet
Total—2	

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

Suspension of the Rules

On motion of Rep. Devillier, the rules were suspended to reconsider the vote by which the Senate Amendments to House Bill No. 1017 were rejected on the same legislative day.

Reconsideration

The following legislative instruments on reconsideration were taken up and acted upon as follows:

HOUSE BILL NO. 1017—

BY REPRESENTATIVE DEVILLIER

AN ACT

To enact Code of Criminal Procedure Article 905.5.1, relative to sentencing in capital cases; to prohibit the imposition of capital punishment upon mentally retarded persons; to provide for the procedure to be used when there is a claim of mental retardation; to provide for the filing of motions; to provide for the burden of proof; to provide for hearings; to provide for a waiver of confidentiality; to provide for definitions; and to provide for related matters.

Read by title.

On motion of Rep. Devillier, the vote by which the Senate Amendments to the above House Bill were rejected was reconsidered.

HOUSE BILL NO. 1017—

BY REPRESENTATIVE DEVILLIER

AN ACT

To enact Code of Criminal Procedure Article 905.5.1, relative to sentencing in capital cases; to prohibit the imposition of capital punishment upon mentally retarded persons; to provide for the procedure to be used when there is a claim of mental retardation; to provide for the filing of motions; to provide for the burden of proof; to provide for hearings; to provide for a waiver of confidentiality; to provide for definitions; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Lentini to Engrossed House Bill No. 1017 by Representative Devillier (Duplicate of Senate Bill No. 244)

AMENDMENT NO. 1

On page 1, line 13, after "A." change "No" to "Notwithstanding any other provisions of law to the contrary, no"

AMENDMENT NO. 2

On page 1, line 16, after "period" insert "for filing of pretrial motions as"

AMENDMENT NO. 3

On page 2, line 1, after "C." delete "(1)" and after "defendant" delete the remainder of the line and insert "in a capital case making a claim of mental retardation shall prove the"

Page 102 HOUSE

42nd Day's Proceedings - June 16, 2003

AMENDMENT NO. 4

On page 2, line 4, after "hearing" insert "unless the state and the defendant agree that the issue is to be tried by the judge"

AMENDMENT NO. 5

On page 2, delete lines 7 through 10

AMENDMENT NO. 6

On page 2, line 19, after "notice" insert "relative to a claim of mental retardation"

AMENDMENT NO. 7

On page 3, line 1, after "of mental retardation"

AMENDMENT NO. 8

On page 3, line 11, after "opinion" delete the remainder of the line and insert "that the defendant is not mentally retarded."

AMENDMENT NO. 9

On page 3, delete lines 12 and 13

AMENDMENT NO. 10

On page 3, line 14, after "defendant" insert "making a claim of mental retardation"

AMENDMENT NO. 11

On page 3, line 15, after "pursuant to" change "Subsection D" to "Paragraph (D)"

AMENDMENT NO. 12

On page 3, at the beginning of line 17, change "paragraph D or F" to "either Paragraph (D) or (F)" and after "Article" delete "upon motion by the district attorney."

AMENDMENT NO. 13

On page 3, at the end of line 26, delete "autism, learning" and insert the following:

- "(a) Autism.
- (b) Learning disabilities.
- (c) Mental illness.
- (d) Organic brain damage occurring after age eighteen.
- (e) Traumatic brain damage occurring after age eighteen.
- (f) Emotional disturbance.
- (g) Behavioral disorders.
- (h) Sensory impairments.
- (i) Epilepsy and other seizure disorders.
- (j) Speech and language disorders.

(k) Cerebral palsy and other motor deficits.

(l) Neurological disorders.

(m) Personality disorders.

(n) Lack of educational opportunities.

(o) Emotional stress in home or school.

(p) Difficulty in adjusting to school.

(q) A temporary crisis situation.

(r) Environmental, cultural, or economic disadvantage.

(s) Other handicapping conditions."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1017 by Representative Devillier

AMENDMENT NO. 1

In Senate Conforming Amendment No. 8 proposed by Senator Lentini and adopted by the Senate on June 2, 2003, on page 1, line 19, after "after" insert "'claim" insert"

AMENDMENT NO. 2

In Senate Conforming Amendment No. 14 proposed by Senator Lentini and adopted by the Senate on June 2, 2003, on page 2, line 9, following "'autism, learning'" insert "and on page 4, delete lines 1 through 9 in their entirety"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed House Bill No. 1017 by Representative Devillier

AMENDMENT NO. 1

In Senate Conforming Amendments proposed by Senator Lentini and adopted by the Senate on June 2, 2003, delete Conforming Amendment No. 6 and in Conforming Amendment No. 4, on page 1, line 7, after "line1," delete "after "C." delete "(1)" and"

AMENDMENT NO. 2

In Senate Conforming Amendment No. 10 proposed by Senator Lentini and adopted by the Senate on June 2, 2003, on page 1, line 24, after "page 3," change "delete lines 12 and 13" to " at the beginning of line 12, delete "retardation."

AMENDMENT NO. 3

In Senate Conforming Amendment No. 13 proposed by Senator Lentini and adopted by the Senate on June 2, 2003, on page 2, line 6, after "(F)" delete the remainder of the line and delete line 7

Rep. Devillier moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Fruge	Richmond
Ansardi	Gallot	Salter
Arnold	Honey	Scalise
Baldone	Hudson	Shaw
Bruneau	Hutter	Smith, G.—56th
Capella	Jackson, L	Smith, J.D.—50th
Carter, R	Johns	Smith, J.H.—8th
Cazayoux	LaFleur	Smith, J.R.—30th
Crane	Lancaster	Sneed
Curtis	Landrieu	Stelly
Damico	LeBlanc	Strain
Devillier	Martiny	Swilling
Diez	McDonald	Toomy
Doerge	McVea	Townsend
Downer	Montgomery	Triche
Downs	Morrish	Tucker
Fannin	Nevers	Waddell
Farrar	Odinot	Walsworth
Faucheux	Pinac	Winston
Flavin	Pitre	Wooton
Frith	Powell	
Total—62		

NAYS

Mr. Speaker	Glover	Lucas
Alexander	Green	Morrell
Baudoin	Guillory	Murray
Baylor	Hammett	Perkins
Beard	Heaton	Peychaud
Bowler	Hebert	Pierre
Broome	Hill	Quezaire
Carter, K	Hopkins	Romero
Crowe	Hunter	Schwegmann
Daniel	Iles	Thompson
Dartez	Jackson, M	Walker
Erdey	Katz	Welch
Futrell	Kenney	Wright
Total—39		

ABSENT

Bruce	Kennard
Durand	Schneider
Total—4	

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 254—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 38:2212.1(A)(1), relative to the Public Bid Law; to provide relative to the purchase of materials or supplies; to increase the purchase amount for which advertisement and letting by contract are necessary; to increase the purchase amount for which telephone or facsimile quotations are necessary; and to provide for related matters.

Called from the calendar.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Engrossed House Bill No. 254 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 2 after "R.S. 38:2212.1(A)(1)" delete the comma and before ", relative" insert "and to enact R.S. 38:2212.6 and R.S. 39:1702(A)(3),"

AMENDMENT NO. 2

On page 1, line 6 after "necessary;" insert "to provide relative to the purchase of materials and supplies related to homeland security;"

AMENDMENT NO. 3

On page 1, line 8 after "reenacted" insert " and R.S. 38:2212.6 is hereby enacted"

AMENDMENT NO. 4

On page 2, between lines 8 and 9 insert the following:

"§2212.6. Purchase of materials and supplies for homeland security

Notwithstanding any other provision of law to the contrary, any public procurement unit may procure materials, supplies, equipment, and services related to homeland security from federal General Services Administration supply schedules. Such purchases shall:

(1) Utilize a Louisiana distributor.

(2) Use the competitive ordering procedures of the federal General Services Administration.

(3) Receive prior approval from the director of the State Office of Homeland Security and Emergency Preparedness, or his designee.

Section 2. R.S. 39:1702(A)(3) is hereby enacted to read as follows:

§1702. Cooperative purchasing authorized; participation in federal General Services Administration vendor list

A.

* * *

(3) Any public procurement unit may procure materials, supplies, equipment, and services related to homeland security from federal General Services Administration supply schedules. Such purchases shall:

(a) Utilize a Louisiana distributor.

(b) Use the competitive ordering procedures of the federal General Services Administration.

(c) Receive prior approval from the director of the State Office of Homeland Security and Emergency Preparedness, or his designee."

AMENDMENT NO. 5

On page 2, line 9 change "Section 2." to "Section 3."

Rep. Martiny moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frith	Odinot
Alario	Fruge	Perkins
Alexander	Futrell	Pierre
Ansardi	Gallot	Pinac
Arnold	Glover	Pitre
Baldone	Guillory	Powell
Baudoin	Hammett	Quezaire
Baylor	Heaton	Richmond
Beard	Hebert	Romero
Bowler	Hill	Salter
Broome	Honey	Scalise
Bruce	Hopkins	Schneider
Bruneau	Hudson	Schwegmann
Capella	Hunter	Shaw
Carter, K	Hutter	Smith, G.—56th
Carter, R	Iles	Smith, J.D.—50th
Cazayoux	Jackson, L	Smith, J.H.—8th
Crane	Jackson, M	Smith, J.R.—30th
Crowe	Johns	Sneed
Curtis	Katz	Stelly
Damico	Kenney	Strain
Daniel	LaFleur	Swilling
Dartez	Lancaster	Thompson
Devillier	Landrieu	Toomy
Diez	LeBlanc	Townsend
Doerge	Lucas	Triche
Downer	Martiny	Tucker
Downs	McDonald	Waddell
Durand	McVea	Walker
Erdey	Montgomery	Walsworth
Fannin	Morrell	Welch
Farrar	Morrish	Winston
Faucheux	Murray	Wooton
Flavin	Nevers	Wright
Total—102		

NAYS

Total—0

ABSENT

Green	Kennard	Psychaud
Total—3		

The amendments proposed by the Senate were concurred in by the House.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

HOUSE BILL NO. 1317—

BY REPRESENTATIVE BROOME

AN ACT

To enact R.S. 17:421.9, relative to public school speech-language pathologists and audiologists; to provide a salary supplement for certain public school speech-language pathologists and audiologists who have acquired certification by the American Speech-Language Hearing Association; to provide conditions and

guidelines for receiving the supplement; to provide limitations; to provide procedures for payment of such supplement; to provide definitions; to provide for effectiveness; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Broome moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Green	Richmond
Arnold	Guillory	Salter
Baldone	Hill	Scalise
Beard	Honey	Schneider
Broome	Hudson	Shaw
Bruce	Hunter	Smith, G.—56th
Carter, K	Hutter	Smith, J.D.—50th
Carter, R	Iles	Smith, J.H.—8th
Crowe	Jackson, M	Smith, J.R.—30th
Curtis	Landrieu	Strain
Dartez	Lucas	Swilling
Devillier	Montgomery	Toomy
Doerge	Morrell	Townsend
Downer	Murray	Triche
Erdey	Nevers	Waddell
Farrar	Odinot	Walker
Faucheux	Perkins	Walsworth
Frith	Psychaud	Welch
Futrell	Pierre	Winston
Gallot	Powell	Wright
Glover	Quezaire	
Total—62		

NAYS

Mr. Speaker	Downs	Martiny
Alexander	Fannin	McDonald
Ansardi	Flavin	McVea
Baudoin	Fruge	Morrish
Bowler	Hammett	Pinac
Bruneau	Hebert	Pitre
Capella	Johns	Schwegmann
Cazayoux	Katz	Sneed
Damico	Kenney	Thompson
Daniel	LaFleur	Tucker
Diez	LeBlanc	Wooton
Total—33		

ABSENT

Baylor	Hopkins	Romero
Crane	Jackson, L	Stelly
Durand	Kennard	
Heaton	Lancaster	
Total—10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Suspension of the Rules

On motion of Rep. Broome, the rules were suspended in order to take up and consider Petitions, Memorials and Communications at this time.

Petitions, Memorials and

Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

June 16, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 242
Returned without amendments.

House Concurrent Resolution No. 245
Returned without amendments.

House Concurrent Resolution No. 247
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

HOUSE BILLS

June 13, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 818
Returned with amendments.

House Bill No. 819
Returned without amendments.

House Bill No. 845
Returned without amendments.

House Bill No. 876
Returned with amendments.

House Bill No. 903
Returned without amendments.

House Bill No. 904
Returned without amendments.

House Bill No. 905
Returned with amendments.

House Bill No. 907
Returned with amendments.

House Bill No. 908
Returned with amendments.

House Bill No. 912
Returned with amendments.

House Bill No. 913
Returned with amendments.

House Bill No. 924
Returned without amendments.

House Bill No. 939
Returned without amendments.

House Bill No. 945
Returned without amendments.

House Bill No. 986
Returned with amendments.

House Bill No. 997
Returned without amendments.

House Bill No. 998
Returned with amendments.

House Bill No. 1009
Returned with amendments.

House Bill No. 1062
Returned with amendments.

House Bill No. 1103
Returned with amendments.

House Bill No. 1115
Returned without amendments.

House Bill No. 1126
Returned without amendments.

House Bill No. 1143
Returned without amendments.

House Bill No. 1144
Returned without amendments.

House Bill No. 1145
Returned without amendments.

House Bill No. 1178
Returned without amendments.

House Bill No. 1227
Returned with amendments.

House Bill No. 1279
Returned with amendments.

House Bill No. 1331
Returned with amendments.

House Bill No. 1347
Returned without amendments.

House Bill No. 1501
Returned without amendments.

House Bill No. 1528
Returned without amendments.

Page 106 HOUSE

42nd Day's Proceedings - June 16, 2003

House Bill No. 1549
Returned with amendments.

House Bill No. 1789
Returned without amendments.

House Bill No. 1797
Returned with amendments.

House Bill No. 1806
Returned without amendments.

House Bill No. 1849
Returned without amendments.

House Bill No. 1855
Returned without amendments.

House Bill No. 1856
Returned without amendments.

House Bill No. 1891
Returned with amendments.

House Bill No. 1907
Returned without amendments.

House Bill No. 1934
Returned with amendments.

House Bill No. 1956
Returned with amendments.

House Bill No. 1959
Returned without amendments.

House Bill No. 1981
Returned with amendments.

House Bill No. 2008
Returned without amendments.

House Bill No. 2009
Returned with amendments.

House Bill No. 2014
Returned with amendments.

House Bill No. 2017
Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 16, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 11 by Sen. Dupre, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 13, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 260 by Sen. Ellington, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 16, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 917 by Sen. Malone, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

DISAGREEMENT TO SENATE BILL

June 16, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has refused to concur in the proposed House Amendments to Senate Bill No. 1046 by Sen. B. Jones, and ask the Speaker to appoint a committee to confer with a like committee from the Senate on the disagreement.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

APPOINTMENT OF CONFERENCE COMMITTEE

June 16, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 174: Senators Hoyt, Adley, and Heitmeier.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 16, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 549: Senators Adley, Theunissen, and Dardenne.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 16, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 557: Senators Romero, Michot, and Barham.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 16, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 631: Senators Hollis, McPherson, and Boissierre.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 16, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to House Bill No. 1211: Senators Irons, Ullo, and Dardenne.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 16, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 11: Senators Bajoie, Dupre, and Ullo.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 16, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 917: Senators Heitmeier, Malone, and McPherson.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**APPOINTMENT OF
CONFERENCE COMMITTEE**

June 12, 2003

Page 108 HOUSE

42nd Day's Proceedings - June 16, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 968: Senators Ellington, B. Jones, and Michot.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

APPOINTMENT OF CONFERENCE COMMITTEE

June 16, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has appointed the following committee to serve with a like committee from the House to confer on the disagreement to Senate Bill No. 1046: Senators Ellington, Adley, and B. Jones.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

June 16, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 125

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

June 12, 2003

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Bills:

Senate Bill Nos. 833, 846, 849, 886, 897, 940, 973, 1016, 1019, 1079, and 1081

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

The Senate Bills contained herein were signed by the Speaker of the House.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 549: Reps. Futrell, Crane, and DeWitt.

Conference Committee Appointment

Under a suspension of House Rule 6.14, the Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1090: Reps. Robert Carter, Schneider, and Daniel.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 1211: Reps. Bruneau, Lancaster, and Waddell.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 2018: Reps. Landrieu, Toomy, and Thompson.

Conference Committee Reports Received

Conference Committee Reports were received for the following legislative instruments:

SENATE BILL NO. 330—
BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:153(L), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to purchase of military service credit for years of active duty military service in the Vietnam Conflict; to provide with respect to employee contributions; to provide with respect to employer contributions; to provide for severability; to provide for an effective date; and to provide for related matters.

The conference committee reports for the legislative instruments above lie over under the rules.

Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 124—

BY REPRESENTATIVE BALDONE

A RESOLUTION

To commend the Vandebilt Catholic High School Cheerleader squad upon being named 2003 National Champions at the Beach Jam Open National Competition.

Read by title.

On motion of Rep. Baldone, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 125—

BY REPRESENTATIVE LAFLEUR

A RESOLUTION

To commend the Pine Prairie High School Baseball team for an exceptional season and for winning the Class B State Championship.

Read by title.

On motion of Rep. LaFleur, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 126—

BY REPRESENTATIVE DURAND

A RESOLUTION

To create the Mandatory Overtime Study Committee to assess the extent of the use of mandatory overtime for registered nurses in this state and make specific recommendations to the House Committee on Health and Welfare.

Read by title.

On motion of Rep. Durand, and under a suspension of the rules, the above resolution was referred to the Committee on House and Governmental Affairs, under the rules.

HOUSE RESOLUTION NO. 127—

BY REPRESENTATIVE DANIEL

A RESOLUTION

To urge and request the House Committee on Municipal, Parochial and Cultural Affairs to study the feasibility of creating a tax increment financing district within the parish of East Baton Rouge.

Read by title.

On motion of Rep. Daniel, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 128—

BY REPRESENTATIVE LUCAS

A RESOLUTION

To urge and request the New Orleans Regional Transit Authority to cease and desist all activities related to changing the Barracks bus line until full opportunity for community discussion and recommendations has been provided.

Read by title.

On motion of Rep. Lucas, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 129—

BY REPRESENTATIVE FARRAR

A RESOLUTION

To commend the City of Pineville upon winning first place in its division in the statewide Cleanest City Contest.

Read by title.

On motion of Rep. Farrar, and under a suspension of the rules, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 250—

BY REPRESENTATIVES MCVEA AND KENNARD

A CONCURRENT RESOLUTION

To commend Cathy Flowers Raziano upon her selection as Louisiana High School Teacher of the Year for 2003, her selection as Louisiana Outstanding Biology Teacher by the National Association of Biology Teachers, and her dedicated service to the students of East Baton Rouge Parish for thirty-three years.

Read by title.

On motion of Rep. McVea, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 251—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to either execute surface leases with St. John the Baptist Parish providing for use of improved property within the Maurepas Wildlife Management Area by the persons who made such improvements or to exchange the improved property with St. John the Baptist Parish for equivalent property located near the wildlife management area.

Read by title.

On motion of Rep. Fauchaux, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 252—

BY REPRESENTATIVE BAUDOIN

A CONCURRENT RESOLUTION

To memorialize the United States Army Corp of Engineers to examine water level and water quality issues in the Atchafalaya Basin.

Read by title.

On motion of Rep. Baudoin, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Appropriations

June 16, 2003

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Appropriations to submit the following report:

House Concurrent Resolution No. 205, by Toomy
Reported favorably. (10-0)

House Bill No. 1670, by Winston
Reported with amendments. (11-0) (Regular)

Page 110 HOUSE

42nd Day's Proceedings - June 16, 2003

Senate Concurrent Resolution No. 130, by Schedler
Reported favorably. (10-0)

Senate Bill No. 61, by C. Jones
Reported with amendments. (12-0) (Regular)

Senate Bill No. 86, by Hines
Reported favorably. (12-0) (Regular)

Senate Bill No. 89, by McPherson
Reported favorably. (11-0) (Regular)

Senate Bill No. 177, by Heitmeier (Joint Resolution)
Reported favorably. (11-0) (Regular)

Senate Bill No. 213, by Dardenne (Joint Resolution)
Reported favorably. (11-0) (Regular)

Senate Bill No. 326, by Bajoie
Reported with amendments. (10-0) (Regular)

Senate Bill No. 357, by McPherson
Reported with amendments. (11-0) (Regular)

Senate Bill No. 358, by McPherson
Reported favorably. (11-0) (Regular)

Senate Bill No. 422, by McPherson
Reported favorably. (11-0) (Regular)

Senate Bill No. 504, by Dardenne
Reported favorably. (11-0) (Regular)

Senate Bill No. 556, by McPherson
Reported favorably. (12-0) (Regular)

Senate Bill No. 594, by McPherson
Reported favorably. (11-0) (Regular)

Senate Bill No. 673, by Ullo
Reported favorably. (11-0) (Regular)

Senate Bill No. 683, by Ullo
Reported favorably. (11-0) (Regular)

Senate Bill No. 727, by McPherson
Reported favorably. (12-0) (Regular)

Senate Bill No. 900, by Boissiere
Reported favorably. (12-0) (Regular)

Senate Bill No. 1059, by McPherson
Reported favorably. (12-0) (Regular)

Senate Bill No. 1080, by Ellington
Reported favorably. (11-0) (Regular)

Senate Bill No. 1132, by Hines
Reported with amendments. (12-0) (Regular)

JERRY LUKE LEBLANC
Chairman

The above Senate Bills reported favorably or with amendments
were referred to the Legislative Bureau.

Suspension of the Rules

On motion of Rep. LeBlanc, the rules were suspended in order to
take up House Bills contained in the committee report at this time.

House Bills and Joint Resolutions on Second Reading Reported by Committee

The following House Bills and Joint Resolutions on second
reading reported by committee were taken up and acted upon as follows:

HOUSE BILL NO. 1670—

BY REPRESENTATIVE WINSTON

AN ACT

To enact R.S. 28:382(48), (49), (50), and (51) and 450 - 453, relative
to the compensation of community direct service workers; to
provide for the elimination of the disparity between the
compensation of those workers and comparable workers; to
provide for definitions, rules, and administration; and to provide
for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to
Original House Bill No. 1670 by Representative Winston

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and insert
"provide relative to the"

AMENDMENT NO. 2

On page 1, line 3, after "workers" and before the semi-colon ";", insert
"through the reimbursement rates paid under the state Medicaid
program"

AMENDMENT NO. 3

On page 1, line 4, delete "elimination" and insert "determination of the
amount"

AMENDMENT NO. 4

On page 1, delete line 5 in its entirety and insert the following:

"and comparable state workers; to provide for the submission and
consideration of a report relative to the disparity of such compensation"

AMENDMENT NO. 5

On page 1, at the beginning of line 6, delete "administration"

AMENDMENT NO. 6

On page 1, line 8, after "Section 1." delete the remainder of the line,
delete lines 9 through 12 in their entirety and at the beginning of line 13,
delete "(48)" and insert the following:

"A. As used in this Act, the following terms shall have the
following meanings:

(1)"

AMENDMENT NO. 7

On page 1, line 14, after "Department" insert "of Health and Hospitals, hereafter referred to as "department",

AMENDMENT NO. 8

On page 2, line 1, change "(49)" to "(2)"

AMENDMENT NO. 9

On page 2, line 4, change "(50)" to "(3)"

AMENDMENT NO. 10

On page 2, line 8, change "(51)" to "(4)"

AMENDMENT NO. 11

On page 2, delete lines 12 through 16 in their entirety, and on line 17, delete "On or before September 1, 2003," and insert the following:

"B. The department shall conduct research and analysis to determine the disparity amount in the compensation of community direct service workers and comparable employees working in state residential centers for the developmentally disabled, to include developmental disabilities associates. On or before February 1, 2004,"

AMENDMENT NO. 12

On page 2, line 20, after "amount" delete the remainder of the line and insert "by July 1, 2008."

AMENDMENT NO. 13

On page 2, delete lines 21 through 26, and on page 3, delete lines 1 through 10, and on line 11, delete "Nothing in this Part" and insert the following:

"The department shall prepare a report no later than February 1, 2004, which details its findings and recommendations with respect to determination of the disparity amount and also the reimbursement rate necessary to eliminate the disparity. The report shall be submitted to the House Committee on Appropriations and the Senate Committee on Finance.

C. Nothing in this Act"

AMENDMENT NO. 14

On page 3, delete lines 13 and 14 in their entirety, and insert "Any increases in the rate of reimbursement as referenced in this Act"

AMENDMENT NO. 15

On page 3, delete lines 17 through 20 in their entirety and insert the following:

"D. The House Committee on Appropriations and the Senate Committee on Finance, either separately or jointly, shall consider the department's report on the disparity amount no later than April 15, 2004."

On motion of Rep. LeBlanc, the amendments were adopted.

On motion of Rep. LeBlanc, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

Motion

On motion of Rep. Pitre, the Committee on Civil Law and Procedure was discharged from further consideration of House Bill No. 427.

HOUSE BILL NO. 427—

BY REPRESENTATIVE PITRE

AN ACT

To amend and reenact Code of Evidence Article 409 and to enact Civil Code Article 2315.8, relative to the liability for damages; to provide for the payment of monetary damages actually incurred; to provide for the admissibility of collateral sources of payment; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Pitre, the bill was withdrawn from the files of the House.

Senate Bills and Joint Resolutions on Second Reading to be Referred

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

SENATE BILL NO. 476—

BY SENATOR BAJOE

AN ACT

To enact R.S. 14:67.22, relative to theft; to create the crime of theft of a used building component; to provide for criminal penalties; to provide for definitions; and to provide for related matters.

Called from the calendar.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

Motion

On motion of Rep. Townsend, the motion to reconsider the vote by which House Bill No. 2029 failed to pass was called from the table.

Suspension of the Rules

On motion of Rep. Townsend, the rules were suspended to reconsider the vote by which House Bill No. 2029 failed to pass.

Reconsideration

The following legislative instruments on reconsideration were taken up and acted upon as follows:

Page 112 HOUSE

42nd Day's Proceedings - June 16, 2003

HOUSE BILL NO. 2029 (Substitute for House Bill No. 989 by Representative Townsend)— BY REPRESENTATIVE TOWNSEND

AN ACT

To enact R.S. 37:24, relative to health care professionals; to provide for access to certain information from health care professional licensing boards; to provide for information on adverse actions taken against health care professionals; and to provide for related matters.

Read by title.

On motion of Rep. Townsend, the vote by which the above House Bill failed to pass was reconsidered.

Returned to the calendar under the rules.

Privileged Report of the Committee on Enrollment

June 16, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 114—

BY REPRESENTATIVE GARY SMITH

A RESOLUTION

To direct the Department of Transportation and Development to erect signs along interstates informing slower moving traffic to move from the passing lane.

HOUSE RESOLUTION NO. 122—

BY REPRESENTATIVES GALLOT AND FANNIN

A RESOLUTION

To express sincere and heartfelt condolences upon the death of the Honorable Leon H. Whitten of Jonesboro and to recognize his outstanding contributions to Jonesboro, to Jackson Parish, and the state of Louisiana.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

June 16, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 237—

BY REPRESENTATIVE WELCH

A CONCURRENT RESOLUTION

To recognize Tuesday, June 17, 2003, as a Day of Prayer and Comfort in support of the families and friends of Trineisha Dené Colomb, Gina Wilson Green, Pam Kinamore, Charlotte Murray Pace, and Carrie Lynn Yoder and to provide for suitable observance of this special day.

HOUSE CONCURRENT RESOLUTION NO. 238—

BY REPRESENTATIVES THOMPSON, KENNEY, MCDONALD, AND WALSWORTH AND SENATORS BARHAM AND B. JONES

A CONCURRENT RESOLUTION

To commend the University of Louisiana at Monroe for having developed the expertise and facilities to teach precision farming management practices and to encourage the teaching of precision farming management practices in all Louisiana colleges and universities.

HOUSE CONCURRENT RESOLUTION NO. 240—

BY REPRESENTATIVE JOHNS

A CONCURRENT RESOLUTION

To commend Dennis Trahan upon his many accomplishments and particularly upon the celebrated and memorable occasion of his induction into the Louisiana Fast Pitch Softball Hall of Fame.

HOUSE CONCURRENT RESOLUTION NO. 241—

BY REPRESENTATIVES GALLOT, DOWNS, AND FANNIN AND SENATOR B. JONES

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Mary Ardistine Fowler Beasley of Ruston.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

June 13, 2003

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Bills have been properly enrolled:

HOUSE BILL NO. 21—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 14:220(A), relative to the crime of failure to return rented or leased motor vehicles; to authorize commercial couriers to send notices of return or surrender; and to provide for related matters.

HOUSE BILL NO. 64—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact Code of Civil Procedure Article 1922, relative to money judgments; to require the inclusion of date of birth of the judgment debtors; and to provide for related matters.

HOUSE BILL NO. 72—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 9:196, relative to tutorship by nature; to authorize a natural tutor to act in matters involving not more than ten thousand dollars; and to provide for related matters.

HOUSE BILL NO. 101—

BY REPRESENTATIVES POWELL AND R. CARTER

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(E) and to enact Code of Civil Procedure Article 4843(J), relative to the civil jurisdiction of the City Court of Hammond; to increase the jurisdictional amount of the court; and to provide for related matters.

HOUSE BILL NO. 162—

BY REPRESENTATIVES MARTINY AND SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 4:702(C)(1), 704(D), 707(C)(4) and (5), 708(B), and 724(B)(2), relative to charitable gaming; to include commercial lessors in the charitable gaming licensing system; to prohibit the secretary of the Department of Revenue or any employee of the office of charitable gaming from having a financial interest in a commercial lessor; to provide for mandatory training for members of a charitable organization seeking a charitable gaming license who are designated to hold, operate, and conduct the games of chance; to provide for the maximum payout on electronic bingo machines; to repeal provision of law allowing only one parent-teacher association or booster club for each school; and to provide for related matters.

HOUSE BILL NO. 169—

BY REPRESENTATIVES BALDONE AND SENATOR DUPRE

AN ACT

To enact R.S. 4:740, relative to the Charitable Raffles, Bingo and Keno Licensing Law; to define a session for charitable gaming purposes; to provide for the length of a charitable gaming session; to provide for the number of sessions which may be conducted per day; to provide with respect to the activities which are considered part of the session; and to provide for related matters.

HOUSE BILL NO. 204—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 11:710(B), relative to the Teachers' Retirement System of Louisiana; to provide with respect to reemployment of retirees; to relieve certain retirees reemployed in part-time positions with the Louisiana High School Athletic Association from making contributions to the system; to relieve the association from making employer contributions on behalf of any such retiree; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 205—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 11:221(A)(2) and (C), relative to the Municipal Police Employees' Retirement System; to provide relative to modification of benefits as a result of earned income attributable to gainful employment; to provide relative to earnings statements; to relieve certain disability retirees from earnings limitations and from submitting annual income statements; and to provide for related matters.

HOUSE BILL NO. 260—

BY REPRESENTATIVE ERDEY AND SENATORS FONTENOT, HAINKEL, SCHEDLER, AND THOMAS

AN ACT

To enact R.S. 15:571.11(C)(5), relative to the disposition of the Criminal Court Fund for the Twenty-First Judicial District; to

provide that the accounts comprising the Criminal Court Fund be operated as a single fund; to provide for the yearly transfer of certain surpluses remaining in the fund; and to provide for related matters.

HOUSE BILL NO. 270—

BY REPRESENTATIVE MARTINY AND SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 4:715(A)(3) and 727(A) and to enact R.S. 4:724(H), relative to charitable gaming; to provide for the presence of certain persons while machines are in use; to specify the persons authorized to pay out cash prizes; and to provide for related matters.

HOUSE BILL NO. 284—

BY REPRESENTATIVE MONTGOMERY AND SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 11:2220(B)(1)(a)(ii), relative to the Municipal Police Employees' Retirement System; to provide with respect to survivor benefits; to provide a maximum benefit for surviving spouses of active members killed as a result of injuries sustained in the line of duty; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 376—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact Code of Criminal Procedure Article 814(A)(5), relative to responsive verdicts; to provide that "guilty of negligent homicide" may be rendered as a responsive verdict to an indictment which charges the offense of manslaughter; and to provide for related matters.

HOUSE BILL NO. 455—

BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact R.S. 26:80(F) and 280(F), relative to permits to sell alcoholic beverages of high and low alcoholic content; to provide that a person is not necessarily disqualified from receiving a permit for certain felony convictions; and to provide for related matters.

HOUSE BILL NO. 462—

BY REPRESENTATIVES MARTINY AND WELCH

AN ACT

To amend and reenact R.S. 15:708(A)(1)(a), relative to work programs for prisoners in parish prisons; to provide for participation in work activities on the property of, or in the buildings or other improvements of, certain tax-exempt organizations; and to provide for related matters.

HOUSE BILL NO. 464—

BY REPRESENTATIVES MARTINY AND CRANE

AN ACT

To enact R.S. 27:311.1, relative to the Video Draw Poker Devices Control Law; to provide relative to requirements for submitting certain information when filing an application for an additional license; to provide for applicability; and to provide for related matters.

HOUSE BILL NO. 481—

BY REPRESENTATIVE MARTINY

AN ACT

To enact Part XIII of Chapter 2 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:521 through 523, and R.S. 44:3(G), relative to evidence; to provide for proof of an official driving record by certificate of the assistant secretary of the Department of Public Safety and Corrections, office of motor vehicles, or his designee; to provide for the admissibility of official driving records; to provide for notice of opposing parties and opportunity to cross-examine experts; to provide that certificates

Page 114 HOUSE

42nd Day's Proceedings - June 16, 2003

of official driving records are not public records; and to provide for related matters.

HOUSE BILL NO. 505—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 15:893.1, relative to assignment of inmates to Work Training Facility North; to provide that persons convicted of certain violations of the Uniform Controlled Dangerous Substances Law are eligible for assignment; to repeal obsolete provisions; and to provide for related matters.

HOUSE BILL NO. 508—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 15:571.3(D), relative to diminution of sentence for good behavior; to delete provisions which prohibit certain inmates from being eligible to receive a diminution of sentence for good behavior; and to provide for related matters.

HOUSE BILL NO. 509—

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 14:2(13)(gg), (hh), (ii), (jj), (kk), (ll), (mm), (nn), and (oo), relative to crimes of violence; to add certain crimes to the listing of crimes designated as crimes of violence; and to provide for related matters.

HOUSE BILL NO. 577—

BY REPRESENTATIVES MARTINY AND SCALISE

AN ACT

To enact R.S. 46:1844(M)(3), relative to the right of victims of crime to seek restitution; to provide that if the court or the parole board requires a convicted criminal defendant to pay restitution to a victim, and if the victim records the restitution order, the victim shall not be required to pay the fee which the clerk of court collects for recording documents; and to provide for related matters.

HOUSE BILL NO. 580—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 11:1136(A) and to enact R.S. 11:1136(D), relative to the Louisiana School Employees' Retirement System; to provide with respect to the conversion of leave to membership credit; to prohibit the conversion of leave of less than one-tenth of one year; and to provide for related matters.

HOUSE BILL NO. 682—

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 40:1299.39.1(D)(2) and 1299.47(D)(2), relative to a medical review panel proceeding under the Medical Malpractice Act; to provide that the panel may consider evidence discovered by interrogatories; and to provide for related matters.

HOUSE BILL NO. 752—

BY REPRESENTATIVES CAZAYOUX AND BRUCE

AN ACT

To amend and reenact Code of Criminal Procedure Article 202(A)(introductory paragraph) and to enact Code of Criminal Procedure Article 202(D), relative to arrest warrants; to provide for issuance of the warrant by facsimile transmission; and to provide for related matters.

HOUSE BILL NO. 796—

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 14:231, relative to offenses against property; to create the crime of air bag fraud; to provide for definitions; to provide for criminal penalties; and to provide for related matters.

HOUSE BILL NO. 815—

BY REPRESENTATIVES MARTINY AND SCHNEIDER

AN ACT

To amend and reenact R.S. 14:64.3, relative to attempted armed robbery; to provide for enhanced penalties when a firearm is used in the commission of the crime; and to provide for related matters.

HOUSE BILL NO. 819—

BY REPRESENTATIVES PINAC AND ARNOLD

AN ACT

To amend and reenact R.S. 11:1471, relative to the Assessors' Retirement Fund; to provide relative to the board of trustees; to provide for membership thereon; to provide for election procedures; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 845—

BY REPRESENTATIVES MARTINY, ANSARDI, DAMICO, LANCASTER, SCALISE, TOOMY, AND SNEED AND SENATOR LENTINI

AN ACT

To amend and reenact R.S. 15:703, relative to prisoners in parish jails; to provide with respect to the duties, obligations, and liability of parish governing authorities for medical care required to be provided for prisoners in parish jails; to provide with respect to procedures for prisoners for damages which occur as a result of the medical care which is provided for those prisoners; and to provide for related matters.

HOUSE BILL NO. 903—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:1755(C), relative to the Municipal Employees' Retirement System of Louisiana; to provide with respect to repayment of withdrawn employee contributions; to allow such repayment to be made by a trustee-to-trustee transfer; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 904—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To enact R.S. 11:1139, relative to the Louisiana School Employees' Retirement System; to provide for creditable service; to provide for purchase of credit for service as an employee of an out-of-state school board; and to provide for related matters.

HOUSE BILL NO. 924—

BY REPRESENTATIVES HUNTER AND BRUCE

AN ACT

To amend and reenact R.S. 15:541(14.1) and to enact R.S. 14:283(E), relative to sex offender registration; to require a person convicted of video voyeurism to register as a sex offender; to add the crime of video voyeurism to the definition of a sex offense for the purposes of sex offender registration; and to provide for related matters.

HOUSE BILL NO. 939—

BY REPRESENTATIVES BRUCE, HOPKINS, L. JACKSON, AND MONTGOMERY AND SENATOR BEAN

AN ACT

To enact R.S. 9:2796.2, relative to civil liability; to provide for the limitation of liability for activities sponsored by a nonprofit organization which operates an animal sanctuary; and to provide for related matters.

HOUSE BILL NO. 945—

BY REPRESENTATIVE HOPKINS

AN ACT

To enact R.S. 13:2583.3, relative to justice of the peace courts in Caddo Parish; to authorize each constable of a justice of the peace court to appoint a deputy constable for that ward; and to provide for related matters.

HOUSE BILL NO. 997—

BY REPRESENTATIVES LAFLEUR AND MURRAY
AN ACT

To amend and reenact R.S. 14:34.6(A)(2), relative to the crime of disarming a peace officer; to provide for applicability to park wardens; and to provide for related matters.

HOUSE BILL NO. 1115—

BY REPRESENTATIVES TRICHE, CURTIS, DANIEL, DEVILLIER, FAUCHEUX, FRUGE, HUDSON, KENNARD, MCVEA, JACK SMITH, JOHN SMITH, STRAIN, DOWNER, MONTGOMERY, PIERRE, AND FRITH AND SENATORS MICHOT, ADLEY, CRAVINS, HINES, HOLDEN, MALONE, AND DUPRE

AN ACT

To amend and reenact R.S. 11:62(5)(d), 581(B)(1), and 582(A) and (C), relative to the Louisiana State Employees' Retirement System; to provide relative to the employee contribution rate for wildlife agents; to provide for definitions; to provide relative to retirement benefits for wildlife agents; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1126—

BY REPRESENTATIVE HUNTER AND SENATOR C. JONES
AN ACT

To enact R.S. 13:2081.3, relative to the City Court of Monroe; to authorize the court to transfer certain funds into the court's general operational account; to provide for expenditure of the funds; and to provide for related matters.

HOUSE BILL NO. 1143—

BY REPRESENTATIVES RICHMOND, LUCAS, MURRAY, AND ODINET AND SENATORS BAJOEI AND JOHNSON
AN ACT

To amend and reenact R.S. 16:11(A), relative to the annual salary of assistant district attorneys payable by the state; to authorize the district attorney of Orleans Parish to reallocate the total amount fixed for the annual salary of his assistant district attorneys; and to provide for related matters.

HOUSE BILL NO. 1144—

BY REPRESENTATIVES RICHMOND AND MURRAY
AN ACT

To amend and reenact R.S. 16:16(A) and 16.1 and to enact R.S. 16:16.3, relative to court costs in criminal matters; to provide for fees for the office of the district attorney in the parish of Orleans; to provide for an additional nonrefundable fee in criminal matters; to require the judicial administrator of the Criminal District Court for the parish of Orleans to remit the money monthly to the district attorney's office; to provide for expenditure of the money collected; and to provide for related matters.

HOUSE BILL NO. 1145—

BY REPRESENTATIVE HUTTER
AN ACT

To enact Civil Code Article 1582.1, relative to donations; to provide for witnesses; to prohibit persons from witnessing testaments; and to provide for related matters.

HOUSE BILL NO. 1343—

BY REPRESENTATIVE FLAVIN
AN ACT

To amend and reenact R.S. 37:1448, 1455(A)(11), 1457, and 1458 and to enact R.S. 37:1455(A)(33), 1456(C), and 1459, relative to licensing of real estate agents; to provide for penalties for unlicensed persons or persons whose license is suspended or revoked who engage in certain real estate activity; to provide for certain rules of procedure for administrative and judicial proceedings; and to provide for related matters.

HOUSE BILL NO. 1347—

BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 13:717(C), (D)(1) and (2)(e), (F)(introductory paragraph), and (H) and 718(A), (B), and (I)(2) and to repeal R.S. 13:717(E) and 718(G), relative to the offices of commissioner for the Twenty-Fourth Judicial District Court; to provide for the qualifications and salary of the commissioners; to repeal the authority of the commissioners to hear criminal trials; to repeal the termination date of the office of commissioner; to require the sheriff of Jefferson Parish to collect the premium fee from each commercial surety underwriting criminal bail bonds in Jefferson Parish; and to provide for related matters.

HOUSE BILL NO. 1373—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact Civil Code Article 493, relative to ownership of improvements permanently attached to the ground; provides for ownership when the owner of the improvements no longer has the right to keep them on the land; and to provide for related matters.

HOUSE BILL NO. 1374—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 9:2791(A), relative to property not used for commercial recreational activities; provides relative to responsibility by the owner; and to provide for related matters.

HOUSE BILL NO. 1501—

BY REPRESENTATIVES SCHNEIDER, BEARD, DANIEL, MCDONALD, MCVEA, SHAW, AND KATZ
AN ACT

To amend and reenact R.S. 11:2252, 2253(A)(1)(a)(ii) and (C), 2256(A)(5) and (E)(3), 2260(A)(6) and (8), 2261(A), and 2262(D)(2), to enact R.S. 11:2253(D), 2256(B)(1)(f), and 2260.1, and to repeal R.S. 11:2260(A)(1)(f), relative to the Firefighters' Retirement System; to provide with respect to the definition of terms; to provide for determinations of eligibility for membership in the system; to terminate the authority to merge employees of certain fire protection districts into the system; to provide for application of provisions of law regarding reemployment of retirees to all employees of the system; to define the term "surviving eligible spouse" for purposes of paying survivor benefits; to authorize the payment of refunded employee contributions based on emergency circumstances; to establish quorum and voting requirements for the members of the board of trustees; to delete provisions related to the joint administration with another retirement system; to provide authority for the correction of administrative errors; to establish standards by which system funds are invested; to provide with regard to delinquent contributions; to repeal provisions relative to the merger of individuals into the system, otherwise known as "Act 89 mergers"; to provide for effective dates; and to provide for related matters.

HOUSE BILL NO. 1543—

BY REPRESENTATIVE BOWLER
AN ACT

To enact R.S. 9:2729, relative to immovable property; to provide for presumptions regarding the acquisition of an undivided interest; to provide presumptions regarding co-ownership; and to provide for related matters.

HOUSE BILL NO. 1544—

BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 9:2971, relative to the transfer of lands; to provide for a presumption regarding the transfer of land fronting or bounded by certain things; and to provide for related matters.

Page 116 HOUSE

42nd Day's Proceedings - June 16, 2003

HOUSE BILL NO. 1592—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 9:2800, relative to ownership of improvements on state land; provides for ownership when the owner of the improvements no longer has the right to keep them on state land; and to provide for related matters.

HOUSE BILL NO. 1634—

BY REPRESENTATIVE CAPELLA

AN ACT

To amend and reenact Code of Civil Procedure Article 4134(A) and (C), relative to natural tutors; to provide that a certificate filed for recordation shall include the total value of the minor's property; to provide for exceptions when the minor has no assets or only has a contested claim; and to provide for related matters.

HOUSE BILL NO. 1637—

BY REPRESENTATIVE CAPELLA

AN ACT

To amend and reenact R.S. 9:4808(C), 4820(A)(2), and 4822(F) and to enact R.S. 9:4811(E), relative to contractors; to provide for the demolition of existing structures; to provide for the release of a notice of contract; to provide for the effective date of privileges; to provide for the termination of privileges; and to provide for related matters.

HOUSE BILL NO. 1640—

BY REPRESENTATIVES TOOMY AND FAUCHEUX

AN ACT

To amend and reenact R.S. 32:57.1(B) and to enact R.S. 32:57.2, relative to suspended driver's license; to provide for the reinstatement penalty of an operator's license when an arrested person fails to honor a written promise to appear in court; to provide for an additional fee to be paid to the office of the prosecuting authority for certain expenses relative to the suspended driver's license; and to provide for related matters.

HOUSE BILL NO. 1667—

BY REPRESENTATIVE CAPELLA

AN ACT

To amend and reenact R.S. 9:2092(B)(1)(introductory paragraph) and (c), relative to recordation of trust instruments; to provide for the execution of an extract of the trust instrument; to provide for the inclusion of certain information in the extract; and to provide for related matters.

HOUSE BILL NO. 1789 (Substitute for House Bill No. 465 by Representative Martiny)—

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 27:301(B)(16) and 311.1 through 311.6, relative to the Video Draw Poker Devices Control Law; to provide for the issuance of video draw poker employee permits; to provide for definitions; to require a video draw poker employee permit to work as a video draw poker employee; to provide definitions; to provide for classes of permits; to provide for suitability determinations; to provide for the term of a video draw poker employee permit; and to provide for related matters.

HOUSE BILL NO. 1806—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 15:598 and to enact R.S. 15:587.4, relative to criminal history records checks; to provide with respect to the authority of a municipal or parish fire department, a fire protection district, or a volunteer fire department to require such background checks; to provide for fees for processing such records checks; and to provide for related matters.

HOUSE BILL NO. 1851—

BY REPRESENTATIVES DEVILLIER, FARRAR, AND BRUCE

AN ACT

To amend and reenact R.S. 40:1563.1(C) and to enact R.S. 40:1563.1(D), relative to local arson investigators; to provide for training, certification, and qualification; to clarify their powers and duties; and to provide for related matters.

HOUSE BILL NO. 1905—

BY REPRESENTATIVES CURTIS, ALEXANDER, CROWE, HONEY, HUDSON, KENNEY, NEVERS, PEYCHAUD, JANE SMITH, STELLY, SWILLING, AND WINSTON

AN ACT

To enact R.S. 17:81(O), relative to powers and duties of city and parish school boards; to prohibit a school board member from using his authority of office to directly or indirectly compel or coerce personnel decisions or employee decisions; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Suspension of the Rules

On motion of Rep. Martiny, the rules were suspended to permit the Committee on Administration of Criminal Justice to meet upon adjournment on Monday, June 16, 2003, without giving the notice required by House Rule 14.24(A) and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill No. 476

Suspension of the Rules

On motion of Rep. Pierre, the rules were suspended to permit the Committee on Natural Resources to meet on Tuesday, June 17, 2003, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill Nos. 47, 942, and 1117

Suspension of the Rules

On motion of Rep. Lancaster, the rules were suspended to permit the Committee on House and Governmental Affairs to meet on Tuesday, June 17, 2003, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 1575

House Resolution No. 126

Senate Bill Nos. 792, 1032, and 1104

Senate Concurrent Resolution Nos. 91, 118, 138, and 140

Suspension of the Rules

On motion of Rep. Crane, the rules were suspended to permit the Committee on Education to meet on Tuesday, June 17, 2003, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill No. 806

Senate Concurrent Resolution No. 110

Leave of Absence

Rep. Kennard - 1 day

Adjournment

On motion of Rep. Kenney, at 5:40 P.M., the House agreed to adjourn until Tuesday, June 17, 2003, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Tuesday, June 17, 2003.

ALFRED W. SPEER
Clerk of the House